## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 5155) to provide for a district judge in the northern and southern districts of the State of Mississippi, and for other purposes, reported the same without amendment, accompanied by a report (No. 1101), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CULLOP, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 2496) to amend section 15 of the act to regulate commerce, as amended June 29, 1906, and June 18, 1910, reported the same without amendment, accompanied by a report (No. 1102), which said bill and report were referred to the House Calendar.

Mr. HOUSTON, from the Committee on War Claims, to which was referred the joint resolution (S. J. Res. 65) to amend Senate joint resolution 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States," reported the same without amendment, accompanied by a report (No. 1103), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLACKMON: A bill (H. R. 18491) forbidding diversion of funds deposited by United States Treasury for aiding in movement of cotton, grain, or other farm products, etc.; to the Committee on Banking and Currency.

By Mr. LEVER: A bill (H. R. 18492) to authorize the Secretary of Agriculture to establish uniform standards of classification for cotton; to provide for the application, enforcement, and use of such standards in transactions in interstate and foreign commerce; to prevent deception therein; and for other purposes; to the Committee on Agriculture.

By Mr. CURRY: A bill (H. R. 18493) placing certain positions in the Post Office Department in the competitive classified service; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 18494) placing certain positions in the Post Office Department in the competitive classified service; to the Committee on the Post Office and Post Roads.

By Mr. KINKEAD of New Jersey: Joint resolution (H. J. Res. 328) for the purchase of the vessels of the North German Lloyd and Hamburg-American Line Steamship Cos.; to the Committee on the Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURGESS: A bill (H. R. 18495) granting an increase of pension to C. A. Detrick; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 18496) for the relief of the estate of Juliet Cotton; to the Committee on War Claims.

Also, a bill (H. R. 18497) for the relief of Lewis Anderson; to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 18498) for the relief of the owners of property injured or destroyed by overflow of the Shoshone River near Kane, State of Wyoming; to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Washington Central Labor Union, urging Congress to increase the income-tax rate to secure additional revenue for the Government; to the Committee on Ways and Means.

Also (by request), memorial of the Women's Home Missionary Society of Wheeling, W. Va., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. BURKE of South Dakota: Petition of various druggists of Aberdeen, S. Dak., favoring the passage of House bill 13305, the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petitions of the Shipowners' Association of the Pacific Coast, the Pollard Steamship Co., and others, and the Casper Lumber Co., protesting against coastwise clause in the shipping bill admitting foreign ships to American registry; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Forty-seventh Annual Encampment of the California and Nevada Grand Army of the Republic, at San Diego, Cal., protesting against any change in the flag; to the Committee on the Judiciary.

Also, petition of the Shipowners' Association of the Pacific Coast, withdrawing opposition to the emergency shipping bill; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Memorial of George Green, of New Castle, Pa., relative to increase in rates charged by the railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Glasgow Presbyterian Church, of Smiths Ferry, Pa., favoring antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WATSON: Petitions of sundry citizens of Surry and Mecklenburg Counties, Va., relative to rural credits; to the Committee on Banking and Currency.

By Mr. WILLIAMS: Petitions of 363 citizens, principally of Mount Vernon, Ill., relative to due credit to Dr. Cook for his polar efforts; to the Committee on Naval Affairs.

# SENATE.

## MONDAY, *August 24, 1914.*

*(Legislative day of Saturday, August 22, 1914.)*

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. THOMAS. I ask unanimous consent to submit a resolution and have it lie over.

The VICE PRESIDENT. When the Senate recessed on Saturday there was no quorum present and the Chair is of the opinion that the first thing to do is to get a quorum of the Senate of the United States. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Ashurst | Gallinger | McCumber | Smith, Ga. |
| Brady | Gronna | Martin, Va. | Smoot |
| Bristow | Hitchcock | Martine, N. J. | Swanson |
| Bryan | Hollis | Nelson | Thomas |
| Burton | Jones | Perkins | Weeks |
| Camden | Kern | Shafroth | |
| Chamberlain | Lane | Sheppard | |
| Dillingham | Lea, Tenn. | Simmons | |

Mr. KERN. I desire to state that the Senator from Louisiana [Mr. THORNTON] is unavoidably detained on account of sickness.

Mr. JONES. I wish to state that the junior Senator from Utah [Mr. SUTHERLAND] is necessarily absent. He is paired with the Senator from Arkansas [Mr. CLARKE].

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Alabama [Mr. WHITE] is absent on official business.

Mr. KERN. I desire to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN]. He will be absent for several days. He is paired with the junior Senator from West Virginia [Mr. GOFF]. This announcement may stand for the day.

Mr. DILLINGHAM. I desire to announce the continued absence of my colleague [Mr. PAGE] on account of illness in his family.

Mr. SMOOT. I wish to announce the unavoidable absence of my colleague [Mr. SUTHERLAND].

The VICE PRESIDENT. Twenty-nine Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. KENYON, Mr. PITTMAN, Mr. SAULSBURY, and Mr. THOMPSON answered to their names when called.

Mr. CHAMBERLAIN. I desire to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is unavoidably detained from the Senate.

Mr. JOHNSON entered the Chamber and answered to his name.

The VICE PRESIDENT. Thirty-four Senators have answered to the roll call. There is not a quorum present. The Sergeant at Arms will carry out the instructions of the Senate heretofore given and request the attendance of absent Senators.

Mr. STERLING and Mr. POMERENE entered the Chamber and answered to their names.

Mr. CHILTON entered the Chamber and answered to his name.

Mr. CHILTON. I desire to state that those of us who are coming in now have been attending a meeting of the Judiciary Committee and were necessarily detained.

Mr. OVERMAN, Mr. CUMMINS, Mr. SHIELDS, Mr. FLETCHER, and Mr. WALSH entered the Chamber and answered to their names.

Mr. KENYON. I desire to announce that the junior Senator from Nebraska [Mr. NORRIS] is unable to be present on account of illness.

Mr. REED, Mr. CULBERSON, Mr. LEE of Maryland, Mr. MYERS, Mr. FALL, Mr. WHITE, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

SALT LAKE AND OGDEN GATEWAYS.

Mr. THOMAS. I ask unanimous consent, out of order, to submit a resolution and ask that it may lie over under the rule.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. THOMAS. I also ask to have the Secretary read the resolution.

The resolution (S. Res. 446) was read, as follows:

Whereas the Union Pacific Railroad Co. is said to have issued an order closing the Salt Lake and Ogden gateways after October 1 to all passenger traffic from eastern and southern points originating on the Denver & Rio Grande Railway, or other Gould railroads, so called, the effect whereof will be to inflict a very large and unjust loss upon said railroads, for which there is no justification; and

Whereas the enforcement of said order will deprive the States of Colorado and Utah of a very large percentage of tourist business and divert an enormous passenger traffic from said States, to their great injury; and

Whereas said order is said to have been made to deter and intimidate capital from the reorganization and equipment of the Western Pacific Railroad, a competitor of the Union Pacific Road for the traffic of the Pacific coast, and thereby accomplish its undoing: Therefore be it

*Resolved by the Senate of the United States*, That the Interstate Commerce Commission be, and it is hereby, directed to inquire into and investigate the reasons for making said order; the necessity, if any, for shutting the passenger traffic of the Denver & Rio Grande and other southern and southeastern railroads out of the gateways of Salt Lake and Ogden and the Union Pacific lines leading therefrom; the effect of the enforcement of said order upon tourist and other passenger traffic to and through Colorado and Utah; the effect thereof upon the Western Pacific Railroad; and report the result of its investigation to the Senate as early as may be consistent with the making thereof.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

COTTON WAREHOUSES.

The Senate resumed the consideration of the bill (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes.

The VICE PRESIDENT. The question is on the amendment of the Senator from Oregon [Mr. LANE], on which the yeas and nays have been ordered. The Secretary will call the roll.

Mr. GALLINGER. Mr. President, may I ask what the amendment is? I should like to have it stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to insert, after the word "cotton," wherever it appears in the bill, the words "or canned salmon."

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the junior Senator from Mississippi [Mr. VARDAMAN], and will vote. I vote "yea."

Mr. FLETCHER (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Georgia [Mr. WEST] and will vote. I vote "nay."

Mr. GALLINGER (when his name was called). I announce my general pair with the junior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and will vote. I vote "yea."

Mr. LEA of Tennessee (when his name was called). I transfer my general pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the senior Senator from Illinois [Mr. LEWIS] and will vote. I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

Mr. REED (when his name was called). I am paired with the senior Senator from Michigan [Mr. SMITH]. In his absence I withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the senior Senator from Indiana [Mr. SHIVELY] and will vote. I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. In his absence I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WALSH (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. LIPPITT] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the junior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

The roll call was concluded.

Mr. CULBERSON. I have a general pair with the senior Senator from Delaware [Mr. DU PONT], which I transfer to the junior Senator from Arizona [Mr. SMITH], and will vote. I vote "nay."

Mr. SIMMONS (after having voted in the affirmative). I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the senior Senator from Alabama [Mr. BANKHEAD] and will allow my vote to stand.

Mr. OWEN. I am paired with the junior Senator from New Mexico [Mr. CATRON]. If necessary to make a quorum, I have the right to vote.

The VICE PRESIDENT. Does the Senator desire to vote?

Mr. OWEN. I do.

The Secretary called the name of Mr. OWEN, and he voted "yea."

Mr. THOMAS. I desire to be counted present for the purpose of making a quorum, if necessary.

The VICE PRESIDENT. A quorum is present.

Mr. GALLINGER. I have been requested to announce the following pairs:

The senior Senator from Wyoming [Mr. CLARK] with the senior Senator from Missouri [Mr. STONE].

The junior Senator from Rhode Island [Mr. COLT] with the junior Senator from Delaware [Mr. SAULSBURY].

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN].

The senior Senator from Pennsylvania [Mr. PENROSE] with the senior Senator from Mississippi [Mr. WILLIAMS].

The junior Senator from Wisconsin [Mr. STEPHENSON] with the senior Senator from Oklahoma [Mr. GORE].

The junior Senator from Utah [Mr. SUTHERLAND] with the senior Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 25, nays 24, as follows:

YEAS—25.

| | | | |
|---|---|---|---|
| Ashurst | Gallinger | Kern | Poindexter |
| Brady | Gronna | Lane | Simmons |
| Bristow | Hollis | McCumber | Smoot |
| Burton | Hughes | Martine, N. J. | Thompson |
| Chamberlain | Johnson | Owen | |
| Chilton | Jones | Perkins | |
| Cummins | Kenyon | Pittman | |

NAYS—24.

| | | | |
|---|---|---|---|
| Bryan | Lea, Tenn. | Pomerene | Sterling |
| Camden | Lee, Md. | Ransdell | Swanson |
| Culberson | Martin, Va. | Shafroth | Thornton |
| Dillingham | Myers | Sheppard | Walsh |
| Fall | Nelson | Smith, Ga. | Weeks |
| Fletcher | Overman | Smith, Md. | White |

NOT VOTING—47.

| | | | |
|---|---|---|---|
| Bankhead | Gore | Page | Stephenson |
| Borah | Hitchcock | Penrose | Stone |
| Brandegee | James | Reed | Sutherland |
| Burleigh | La Follette | Robinson | Thomas |
| Catron | Lewis | Root | Tillman |
| Clapp | Lippitt | Saulsbury | Townsend |
| Clark, Wyo. | Lodge | Sherman | Vardaman |
| Clarke, Ark. | McLean | Shields | Warren |
| Colt | Newlands | Shively | West |
| Crawford | Norris | Smith, Ariz. | Williams |
| du Pont | O'Gorman | Smith, Mich. | Works |
| Goff | Oliver | Smith, S. C. | |

So Mr. LANE's amendment was adopted.

Mr. GRONNA. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add a new section, to be numbered section 17, and to read as follows:

SEC. 17. That all the provisions of this act are hereby extended to include elevators and warehouses for the storage of grain and flaxseed, together with inspection, classification, and issuance of receipts and certificates, to the same extent, so far as applicable, as the same are specifically made applicable to warehouses for the storage and classification of cotton, under such rules and regulations as the Secretary of Agriculture may prescribe.

Mr. REED. Mr. President, I make the point of order that the amendment is not germane to the bill, that there has been

no estimate for the expenses, that the amendment has not been before any committee, that there has been no estimate by any department or by any committee, and that it involves the expenditure of money.

The VICE PRESIDENT. The point of order as made by the Senator from Missouri is only applicable to amendments made to general appropriation bills and to no other bills. The point of order is overruled.

Mr. GRONNA. Mr. President, this amendment adds nothing new to the bill. It simply places all kinds of grain and flaxseed on an equality with cotton. It calls for no appropriation whatever.

I shall not take the time of the Senate to discuss it further just now. I hope, however, that we can have a vote on it and that the amendment will be adopted.

Mr. WILLIAMS. Mr. President, there is a meeting to-day down at the Pan American Building of various representatives from the cotton States. It is a matter of very great importance to my constituents and to the entire country, and I ask the consent of the Senate to absent myself during the day to attend that meeting. At the same time I announce my pair with the senior Senator from Pennsylvania [Mr. PENROSE].

The VICE PRESIDENT. The question is on the amendment proposed by the junior Senator from North Dakota [Mr. GRONNA].

Mr. REED. Mr. President, I make the further point of order that the subject matter contained in this proposed amendment has been twice before the Senate at this session and has been twice defeated, and that it is in fact bringing up matter that has been twice voted upon finally.

The VICE PRESIDENT. The Chair has a recollection that the bill of the Senator from North Dakota [Mr. MCCUMBER], which the Chair assumes is the bill referred to by the Senator from Missouri, was a bill which provided for a uniform system of grain inspection throughout the United States of America. The amendment is not identical in terms and it does not appear to the Chair to be identical in substance with the bill of the Senator from North Dakota. The Chair overrules the point of order.

Mr. REED. I was going to ask the Chair to hear me on the question of identity, but, of course, if my point of order is ruled upon I do not want to argue it.

The VICE PRESIDENT. The Chair paid a great deal of attention to that discussion and the Chair thinks that the bill of the Senator from North Dakota was practically a measure dispensing with State grain inspection. This amendment is not of that character.

Mr. MCCUMBER. Mr. President, I think it was last Thursday when this bill was before the Senate I suggested the following amendment to the Senator from Georgia [Mr. SMITH], who stated that it was satisfactory to him, and I especially called my colleague's attention to it. The amendment which I then suggested read as follows:

That all the provisions of this act shall apply as far as practicable to warehouses for and inspection of wheat, oats, barley, corn, flaxseed, and rye, and the further sum of $50,000, or so much thereof as may be required, is hereby appropriated to pay salaries and expenses relative to grain warehouses for and inspecting of said grain.

I was not here Saturday. I want to ask my colleague if the amendment which he now offers differs in any respect other than the appropriation from that which I suggested, and if so, will he kindly explain to me wherein is the difference?

Mr. GRONNA. I do not think my amendment differs from the amendment of my colleague except in the language appropriating $50,000. Of course, that would make it subject to the point of order made by the Senator from Missouri. I have no pride of opinion about the amendment, and if the Senator prefers it to mine I shall be very glad to withdraw my amendment.

Mr. MCCUMBER. No; my colleague and myself are working toward one general end.

Mr. GRONNA. That is true.

Mr. MCCUMBER. All I am desirous of knowing is whether the amendment of my colleague is substantially the same as mine with the exception that no appropriation is made in his amendment.

Mr. GRONNA. It is substantially the same. It is practically the same.

The VICE PRESIDENT. The Chair will inquire of the senior Senator from North Dakota, if, by the statement that he and his colleague are working toward the same general end, he means to imply that the amendment is in effect the same as the bill that was introduced by him and defeated?

Mr. MCCUMBER. I wish it was, Mr. President; but it is not. It is simply one little brick in the superstructure of a foundation on which my colleague and myself hope at some time to build the general structure of Federal inspection. It does not give us the Federal inspection that we ask for and which we have been fighting for, but it is along that general idea of Federal supervision and the issuance of a certificate that will give some confidence to purchasers.

But, Mr. President, I am a little fearful that the amendment as suggested by my colleague with nothing further would be a sort of a dead letter. I call my colleague's attention to section 15:

SEC. 15. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $50,000, available until expended, for the expenses of carrying into effect the provisions of this act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere.

I presume with this amendment which has been suggested the entire $50,000, if any work was done in the agricultural line in reference to the inspection of grain, and so forth, would be somewhat divided, and it certainly would be a very meager sum. I was going to suggest that my colleague ought to add to his amendment—

and the further sum of $50,000, or so much thereof as may be required, is hereby appropriated to pay salaries and expenses relative to grain warehouses for and inspecting of said grain.

So that the entire $50,000 appropriated in the bill for cotton may be used for that, and the other sum of $50,000 may be used to cover the expenses of the amendment offered by my colleague. I am going to offer that as an amendment to the amendment which my colleague has offered.

Mr. President, it was with a degree of pleasure that I observed that Senators who have persistently voted against any character of inspection or grading for grain, which together with cotton constitutes the great wealth and production of the United States and which makes all our food and makes all our clothing, emphasized their consistency in this matter by voting for the Federal inspection and grading and certification of canned salmon. It indicates that the big things sometimes escape while the little things we pass on very easily.

I have not anything further to say, Mr. President, but I wish to have read into the RECORD at this time a letter which was received by me a short time ago from Nebraska, which will explain itself.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

EWART GRAIN CO., GRAIN AND ELEVATORS,
*Lincoln, Nebr., August 6, 1914.*

Hon. PORTER MCCUMBER,
*United States Senate, Washington, D. C.*

DEAR SIR: The public has been somewhat interested in your effort to put through legislation that will relieve the shippers of the rural districts from the unjust grading and handling of their grain in terminal markets. This injustice has never been more rank than it has been this summer. If you will confer with Senator NORRIS, you will find with him considerable correspondence from Nebraska on this subject. The shipper is subject to discounts of 4 cents and 5 cents per bushel on wheat, much of which should not be discounted at all.

Since the war scare these discounts in Chicago and Minneapolis have been unprecedented. The only relief that the public will have from this injustice is the supervision and inspection of grain by the Government. Some of the grain dealers of Lincoln are in conference this afternoon, going to the governor to see if something can not be done jointly with the governor of Minnesota to get relief from this confiscation of part of the value of the grain.

We believe that when you have again entered the fray for the desired legislation you will find that you have a large amount of support from people who had not been so much interested before.

It is common knowledge, and has been for years, that the ingrades and outgrades from terminal markets were not at all uniform, and grades that are put out from these markets as No. 2, for instance, were graded as No. 3 when they came in.

Pardon my intrusion on your valuable time, but the imposition is becoming more and more galling.

Yours, truly, S. EWART.

Mr. GRONNA. Mr. President, I simply want to say a word. The amendment which I offer simply provides that the Secretary of Agriculture may license grain warehouses. It places grain on an equality with cotton. It is entirely different from the bill which my colleague has had before the Senate for many years. I favor his bill, as he knows. I wish it were possible for us to pass my colleague's bill, but that is an entirely different proposition, as the Chair has ruled, and, as I think, rightly so.

Mr. President, I do not believe it is wise to ask for an appropriation in my amendment. I believe that that can be taken care of in conference, in case there is any necessity for an increase in the appropriation.

Mr. REED. Mr. President, I have been given to understand until recently that we were being held here during the sweltering months of summer for the purpose of taking care of certain great legislative problems, which it was felt ought to be disposed of before this session of Congress adjourned. Coming upon the heels of that were certain emergency matters made

necessary by virtue of the unfortunate conditions existing abroad and the interference with our own domestic affairs naturally resulting from those European conditions.

Mr. GALLINGER. Mr. President, will it interrupt the Senator if I ask him a question concerning a matter not directly relevant to the one under discussion?

Mr. REED. It would not interrupt me.

Mr. GALLINGER. Some months ago, when I chanced to have the honor for a brief time conferred upon me of acting as President pro tempore of the Senate, the Senator from Missouri offered a resolution providing for the appointment of a committee of Senators to take into consideration the better ventilation of the Senate Chamber. Acting in my capacity I appointed a committee, of which the Senator was made chairman. I have been wondering ever since if the Senator, or the other Senators, have given any serious consideration to the question as to whether or not, if we are to be kept here during the torrid months, we might not have some better ventilation in this Chamber, so as to make us a little more comfortable.

I feared I might forget to ask the question later on, when, perhaps, it would have been more appropriate, but I thought the Senator would not object to my asking it now, and I thank him for giving me that privilege.

Mr. REED. Mr. President, the question is a very proper one. The committee met on two or three occasions and had some consultations with the Architect of the Capitol. The Architect of the Capitol was of the opinion that in order to make any change which would be effective it would be necessary to take the matter up when Congress would not be in session and when there would be considerable time permitted to make the changes. He suggested two general plans, one of which he was asked to work out. He did work out that plan, in part at least, and brought the result of his labors to me. I say "he brought the result"; he brought it in part at least. I then endeavored to get meetings of the committee, but from that day to this the Senate has been so driven with work that I have not been able to find it possible to get the committee together. However, I have not made a strenuous effort, because it has been perfectly manifest that the Senate would be in session for a considerable time, and until the Senate adjourns we can not, of course, carry on any work of improvement. The matter, however, has not been forgotten, and I am glad the Senator called my attention and the Senate's attention to it.

Mr. GALLINGER. Mr. President, I am gratified to know that the committee has the matter still in mind. I realize that the improvements, whatever they might be, could not be made while Congress is in session, but I want to emphasize the fact that if we are to be kept here during the summer months—and I am making no complaint about that—if it is possible to improve the air of this Chamber it ought to be done; that is all.

Mr. REED. Mr. President, I agree with that; but as near as I am able to make out we are hereafter to be in perpetual session. I know of no better illustration than this amendment. We had something like a six weeks' battle in the Senate at this session over the question of grain inspection. The proposition then before the Senate was essentially the proposition now brought forward. It came before the Senate in two forms and was debated at great length. The Senator from North Dakota [Mr. MCCUMBER] himself occupied the floor the greater part of 10 days, as nearly as I can recall, and after the bill was defeated I think he occupied about 3 days lecturing the Senate for having voted as it did. After all that, if my recollection serves me aright, he brought in another and different amendment, which was practically the same old Trojan horse with a different coat of paint, and now it is here before us again in all its essentials. It differs from the bill which we voted upon twice, exactly as two grains of calomel differ from a grain and a quarter. It is exactly the same kind of medicine; the dose is administered in a little smaller degree. I claim that a proper application of the rules of the Senate will exclude this amendment from consideration, or else it is true that a Senator can continue to bring forward by amendments the same essential proposition as many times as he desires to bring it forward, provided he changes the phraseology to some slight extent. I insist that it is not permissible under the rules of the Senate.

Let me illustrate that and endeavor to show how necessary it is that there should be some limitation and that that limitation should be a broad and practical one and not merely a technical one. Suppose that the Senate were now to vote upon this cotton-inspection bill, and, after full debate, were to defeat it; suppose that immediately there should be introduced another bill exactly—if I knew just how far the Chair had followed my statement when I was interrupted, for I am making this argument to the Chair——

The VICE PRESIDENT. The Chair will state to the Senator from Missouri that the Chair has ruled; but if there is an appeal from the Chair, he will gladly put the appeal to the Senate.

Mr. REED. I was hoping to enlist the attention of the Chair because of the interest of the matter I am discussing.

The VICE PRESIDENT. The Chair listened, he thinks, about 17 or 18 days to debate on the grain bill, and the Chair has not any doubt that the amendment is not the same as that bill.

Mr. REED. Very well. I insist—and I shall take my own time to insist, whether it be pleasing or displeasing—that this amendment can not now be properly considered. I was proceeding to illustrate: Suppose that this cotton bill were now defeated; suppose, immediately, some Member of the Senate were to introduce another cotton-inspection bill, changing the amount of the appropriation from $50,000 to $55,000, and were then to ask the Senate to proceed to the consideration of the bill which had been once before voted upon and determined at this session, it would not be the same bill; it would be a different bill.

The VICE PRESIDENT. Well, the Chair does not want the Senator from Missouri to get into any attitude of mind like that, because, under what the Chair thinks is well settled parliamentary procedure, the Chair would be compelled to sustain the point of order on the part of the Senator from Missouri on a bill of that kind. The Chair does not want to be put in that attitude. The changing of amount and the changing of phraseology or the changing of anything else would not lead the Chair to decide the point of order was not well taken; but the Chair, after listening week after week, thinking the discussion would never end on the grain-inspection bill, has a distinct recollection that the purpose of the bill of the Senator from North Dakota was to take away from the States and to put into the control of the Federal Government the inspection of the grain of this country, and to provide for a uniform inspection of grain throughout the United States of America. The Chair can not be mistaken in that view of the bill.

The Chair does not understand that such is the purpose of the amendment. It seems to be the whole purpose of the original bill here and of the amendment to enable the owners of various products of America to procure certificates relative thereto by the Government of the United States, and that they may use such certificates for the purpose of obtaining money. It is therein the Chair thinks, with deference to the opinion of the Senator from Missouri, the difference between the two bills consists.

Mr. REED. Mr. President, I undertake to say that we should apply the broad rule that when a subject matter has been disposed of that same subject matter can not be brought forward in a bill for the purpose of accomplishing substantially the same results at the same session. I am not entering into a controversy with the Chair about this matter; I am addressing myself as I discuss these questions to the Senate as well as to the Chair, because the Senate ought to protect itself against a performance of this kind; it ought to protect itself against it upon the broad ground that it does not intend to be harassed with the same subject matter simply because of the pertinacity of Senators who bring it forward in a slightly different way.

What was the bill upon which we voted? It provided that the Secretary of Agriculture should be authorized and required, as soon as may be, "to determine and fix, according to such standards as he may provide, such classifications and grading of wheat, flax, corn, rye, oats, barley, and other grains as in his judgment the usages of trade may warrant and permit."

It provided further:

SEC. 6. That when such standards are fixed and the classification and grades determined upon the same shall be made matter of permanent record in the Agricultural Department, and public notice thereof shall be given.

Then it provided that the inspector should give certain certificates, and so forth. That was about all there was in the bill, except that it provided that all grain should be inspected that crossed from one State to another. It was afterwards amended so that it only included grain that should pass through terminal points. Subsequent to that there was an amendment offered by the Senator of a much narrower nature, which I trust I shall have here in a few moments. It was an amendment offered by the Senator from North Dakota at a later time in the session after the bill to which I have been referring was defeated.

The kernel, however, of those measures, the thing that was in those measures, was the proposition of a Federal inspection of grain instead of a State inspection of grain. The details as to just how it was to be worked out were not of the essentials of the bill. That bill finds its chief distinction from the present

bill in the fact that that bill was compulsory, while this bill is voluntary, so far as elevator men are concerned.

The principal objection to that bill was that it destroyed State grain inspection; and the same objection exactly lies to this amendment. This amendment, in my opinion, will just as effectively destroy State grain inspection as the original bill would have done, and if this amendment is put on this bill, I think it will be some weeks before the bill comes to a vote.

A contest was made before, the whole question was argued out, the facts and figures were massed, and the Senate, by a decisive vote, settled it. Now, we are asked to lay aside trust legislation, which, we are told, is most important, to lay aside appropriation bills, which are important, and to take up and thrash out this same old question. I have no great interest in it except as it affects my State; and if the Senator who offers the amendment will put at the end of his amendment a clause providing that it shall not apply to States having State inspection, I shall not resist the measure; but if he does not do that, I shall be compelled to offer such an amendment. I wish to ask the Senator if he will do that?

Mr. GRONNA. Mr. President, I can not at this time accept such an amendment. We have no State grain inspection at all in the State of North Dakota, and neither do we dispose of our grain in North Dakota. Our grain is disposed of either at Minneapolis, Duluth, or some other grain terminal. I can not understand how the Senator from Missouri can construe this amendment to be an inspection provision. I want to ask the Senator from Missouri, if he will permit me, if he believes that the elevator men of his State are in favor of Federal inspection; and if they are not, how can he construe this amendment to provide for Federal inspection? It is only upon the application of the elevator men that inspection can be had.

Mr. REED. Mr. President, the Senator has asked me a question, which I apprehend he thinks goes to the merits of this matter, but I do not agree with him. In every State there are proprietors of elevators and men engaged in the grain business who are not satisfied with the State inspection. They would like very much to have an inspection which they could dictate, and of course the more honest the State inspection and the more careful and competent such inspection the more will men of that kind object to it.

If you pass this bill, the authority of the State grain-inspection departments will be destroyed, and for this reason: Any man who is dissatisfied with the State grain inspection can ask for Federal inspection and take himself out from under the authority of the State board. Now I desire to ask the Senator a question. His question implies that all of the State grain elevators will want to stay under State inspection.

Mr. GRONNA. Mr. President, will the Senator yield to me?

Mr. REED. I will.

Mr. GRONNA. The Senator perhaps knows more about State inspection than I do, but he also knows, and I know, that State inspection is compulsory. This amendment does not provide for a compulsory inspection; nor do I believe any inspection can be had under it except for the purpose of licensing an elevator or a warehouse.

Mr. REED. Mr. President, answering one thing at a time, the Senator's position is that this will not interfere with State grain inspection, because the elevators will prefer the State grain inspection to the national inspection. If that is true, then why not add the clause which I have suggested and which exempts from the operation of this law States where there is State inspection and public inspection by public authorities? If, on the other hand, it will make a difference, as I maintain it will make a difference, then I have cause to complain.

Now, Mr. President, it will make a difference. There are in every community men who do not want their grain inspected by the State authorities and who have constantly endeavored to prevent a thorough and honest inspection. If you adopt this amendment, all those men have to do to get out from under the State authority is to bring themselves under the national authority, and when the national authority has stepped in, as we all know, the State steps out. If this is a proper subject for Congressional action, then the moment an elevator asks to be licensed by the Federal Government, and is licensed, the State authorities lose control over that elevator. All elevators in States where they have grain inspection can immediately come under national inspection.

An examination of this bill will make that plain. I read now from the cotton bill, section 3:

> That the Secretary of Agriculture is authorized to investigate the storage, warehousing, and certification of cotton; upon application to him, to inspect warehouses or cause them to be inspected; at any time, with or without application to him, to inspect or cause to be inspected all warehouses licensed under this act—

Upon application he can inspect any warehouse, and with or without application he can inspect a warehouse licensed under this act. He is authorized—

> to determine whether warehouses for which licenses are applied for, or have been issued, under this act are suitable for the proper storage or holding of cotton; to classify warehouses in accordance with their location, surroundings, capacity, condition, and other qualities, and the kinds of licenses issued, or that may be issued, to them pursuant to this act; and to prescribe the duties of warehouses licensed under this act with respect to the care of cotton stored or held therein.

Then the remainder of the bill proceeds to give very broad powers, and section 6 provides—

> That the Secretary of Agriculture may, upon presentation to him of satisfactory proof of competency, issue to any person a license to grade or classify cotton, and to certificate the grade or class thereof, under such rules and regulations as may be made pursuant to this act.

That is not limited to a licensed warehouse; that is not limited to cotton that is put in a warehouse; that is as broad as the cotton fields of the South; it has no limitation at all. I have no objection to it as applied to cotton. I am perfectly willing that this cotton bill shall go through, but now comes the Senator from North Dakota and offers an amendment which provides—

> That all the provisions of this act are hereby extended to include elevators and warehouses for the storage of grain and flaxseed, together with inspection, classification, and issuance of receipts and certificates, to the same extent, so far as applicable, as the same are specifically made applicable to warehouses for the storage and classification of cotton, under such rules and regulations as the Secretary of Agriculture may prescribe.

The Secretary of Agriculture is authorized under section 6 to appoint any number of men to inspect cotton anywhere in the country. He is authorized to license any number of elevators anywhere to store cotton. He is authorized to inspect the cotton in the elevator and to inspect the cotton outside of the elevator. It is now proposed to extend those powers to grain elevators. Accordingly, we are authorizing the Secretary of Agriculture to appoint any number of men to inspect grain. We are authorizing them to inspect that grain anywhere, at any place, and we are authorizing the licensing of warehouses when application is made. Adopt that system——

Mr. GRONNA. Mr. President——

Mr. REED. Just one moment, until I finish the sentence. Adopt that system, and you will have destroyed the State grain-inspection departments of this country. You will have made it so that any rebel displeased with a ruling can immediately say, "Well, I will take a change of venue from you to the Government."

When the Government has come in to license these departments and the Government has taken over this business, it is my opinion that the mere fact that the Government does take it over wipes out the State grain-inspection departments altogether, so far as interstate commerce is concerned.

I do not believe you can have two authorities running side by side and each of them controlling interstate commerce. When once the Government has entered upon the field of regulation and inspection of grains, and so forth, going through interstate commerce, the two authorities are not consistent with each other; and, under the cases that have been so often referred to here, when any matter pertaining to interstate commerce is once taken hold of by the Federal Government, the States lose their jurisdiction and authority. When you set up a system of national inspection and provide that every elevator in the United States can come under it, and provide further that wheat and other grain can be inspected anywhere, and that the Secretary of Agriculture may appoint any number of men he may see fit to inspect that grain, in my opinion, the State grain inspection ends the minute you pass that kind of bill, unless you put in a qualifying clause excepting the States that have grain inspection.

I am speaking upon this matter without preparation and without examination of the authorities, but I give that as my judgment. At least, it is clear to me that a very dangerous question is opened up.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. GRONNA. I hardly think the fears of the Senator from Missouri are well founded in that respect. This bill nowhere authorizes the Secretary of Agriculture to standardize grain. It is very reasonable to suppose that the Secretary of Agriculture would make use of State grain inspection, and that he would accept that inspection. It simply gives the farmer who produces grain or who produces flaxseed the same privilege that the cotton farmer will have. It places him on an equality with the cotton farmer to say that if he has grain in an elevator or a warehouse the Secretary of Agriculture permits the issu-

ance of a receipt for it, and the farmer can take that receipt and use it as he sees fit—borrow money upon it or sell it, as he may desire.

Mr. REED. No; the cotton bill goes very much further than the Senator states. This is not a case of the Government inspecting wheat when it is requested. This is a case of the Government licensing a warehouse, licensing an elevator, and making it a Government agency.

Mr. GRONNA. But the Senator must not overlook the fact that the Secretary of Agriculture is not permitted under this bill to standardize grain or to fix grades. That will be left to the State.

Mr. REED. Oh, yes; he is permitted to standardize grain and fix grades, because you have provided in the cotton bill that he shall standardize and fix grades, and you have provided in your amendment that all of the provisions of the cotton bill shall, so far as applicable, be applied to grain. Surely you have brought in the standardization and fixing of grades. If the Senator has not done that, his amendment is a meaningless thing; and I am sure the Senator did not intend to draw that sort of an amendment. He is not accustomed to doing it.

I read from the bill:

SEC. 6. That the Secretary of Agriculture may, upon presentation to him of satisfactory proof of competency, issue to any person a license to grade or classify cotton, and to certificate the grade or class thereof, under such rules and regulations as may be made pursuant to this act.

Now, applying that to grain, this is the way it would read:

That the Secretary of Agriculture may, upon presentation to him of satisfactory proof of competency, issue to any person a license to grade or classify grain, and to certificate the grade or class thereof, under such rules and regulations as may be made pursuant to this act.

There is no escaping the proposition that this amendment proposes to grade and classify grain.

Mr. STERLING. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from South Dakota?

Mr. REED. I do.

Mr. STERLING. Does the Senator think section 6 is to be construed so as to apply generally to the grading or classifying of cotton, or only to those warehouses that have applied for the Government license?

Mr. REED. I think it applies generally.

Mr. STERLING. I will say to the Senator that I think section 6 must be read in connection with the other provisions of the bill; that the authorization pertains only to those warehouses that apply for the license. There are so many of those provisions that I think section 6 can be read only with these in view. The bill does not give the Secretary authority to provide for the grading and classification of cotton generally. The same principle would apply to grain. It is purely optional with any warehouse or any elevator to apply for this Government license. It becomes, under the provisions of the bill, a bonded warehouse, whereas, with reference to the McCumber bill, it provided for a general Federal inspection of all grain in interstate commerce, and made it compulsory. I think there is a radical difference between the two measures, and a radical difference between the McCumber bill and the amendment now proposed by the Senator from North Dakota.

Mr. REED. Mr. President, I do not agree with the Senator at all. I will come back to that question in a moment. I am talking now about the right to fix Government grades. I read section 9:

That any warehouse receipt or certificate of the grade or class of cotton issued under this act may specify the grade or class of the cotton covered thereby in accordance with the official cotton standards of the United States, as the same may be fixed and promulgated under authority of law from time to time by the Secretary of Agriculture, or in accordance with any other standard.

Now, substitute the word "grains" for the word "cotton," and you will observe at once that it is contemplated to fix Government standards of grain, and it was clearly the purpose of the Senator in offering his amendment to carry that provision over to the grain business, just as it is now carried to the cotton business.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. Yes.

Mr. GRONNA. It is hardly necessary for me to suggest to the Senator from Missouri that the Secretary of Agriculture now has the right to standardize grain. We have a law now which authorizes the United States Department of Agriculture to fix standards of grain.

Mr. REED. He can fix grades, but he has no authority to enforce those grades.

Mr. GRONNA. None whatever.

Mr. REED. That is the very matter we battled over here for about 17 weeks, and that the Senator from North Dakota is now bringing up again.

Mr. GRONNA. But not for the purpose of selling, nor does this give him the authority to standardize grain for the purpose of selling.

Mr. REED. No; but you standardize it, and then you sell it. You have simply brought in the same old horse, only you have shaved his tail and cut off his mane and painted him; but he is the same horse, and you have got him back on the track, only in this instance you have a different rider.

Mr. GRONNA. I will say frankly to the Senator from Missouri that I wish it were the same horse, but it is not.

Mr. REED. Well, he is a little spavined now.

Mr. GRONNA. I will say further that the Senator from Missouri will find that the so-called McCumber grain bill will again come before the Senate, regardless of whether this bill is passed or not.

Mr. REED. I have no doubt of it; but what I object to is having it brought here every day. I think there ought to be a period of rest allowed. I think when you beat a thing at one session of Congress, and the right to move to reconsider has been exhausted, it ought not to be brought up again at that session of Congress. It ought to be allowed to rest until there are at least some new men here, and thus the result might be changed. I understand the Senator means to bring it up. I have no doubt he intends to bring it up, and I know from the warlike glitter in the eyes of his colleague that he intends to bring it up, and that we will have it with us, like the poor, always, until nature shall solve the problem by the removal of the contestants, or until success shall crown the efforts of these very persistent gentlemen.

Mr. GRONNA. Mr. President, the Senator from Missouri is always fair, and I am sure he will admit that under the provisions of this bill not a single bushel of grain could be standardized by the Government of the United States where there is State inspection.

Mr. REED. I simply can not admit it, because it is my judgment that the Government of the United States has the power, if it sees fit to exercise it, to require every bushel of grain shipped from one State to another to be inspected by a Government agent, and that when it enters upon the exercise of that power it is very likely the courts will say that the Government having started to exercise that power, the jurisdiction of the States over interstate grain is thereby ended. I do not give that as a final conclusion, but it is the way the matter strikes me this morning. Of course I did not know that the amendment of the Senators would be offered until a few minutes ago, when it was offered.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I do.

Mr. McCUMBER. Let me ask the Senator how grain in a warehouse, until something is being done toward its transportation to another State, can be called in any way interstate grain? And how could the Government official get hold of it, under the theory that it was interstate grain, and inspect it while it was still lying idle in a warehouse?

Mr. REED. Mr. President, the very thing the Senator for days argued here was that if the bill which he had before the Senate at that time was enacted into law the Government could take hold of each of these great elevators and stop what he claimed was the practice of grading in the grain at one grade and grading it out at another. The very purpose of his whole legislation was to do the very thing the Senator now says could not be done.

Mr. McCUMBER. I think the Senator will not do me the injustice to assume that I do not understand the general rules relating to interstate commerce and when an article begins to be an article of interstate commerce. He will find, I think, by a closer inspection of the bill, that it covered only that which was shipped from one State to another or was being transported from one State to another after it had been once purchased in a State. I admitted all the way through that we could not touch grain in a State that was raised there. I admitted that we could not touch it unless it came from a foreign State, and we could only reach it as it applied to grain which had become a matter of interstate traffic, and we could not touch it again until it had become interstate traffic again.

Mr. REED. Then the Senator argues too much. If grain going into an elevator can not be touched by the Government as a matter of right, because it is not then in interstate traffic, the Government has no business to have anything whatever to

do with that elevator; it has no right to inspect anything with relation to it. You can not have both sides of this question. Either the Government has the right to inspect or it has not. If it has the right and power to inspect and exercise it, it does it to the exclusion of the State. If it does not have the power to inspect, then we have no right to provide for a voluntary inspection, because the Government is engaged in a business that does not concern it.

Mr. McCUMBER. Mr. President, if the Senator will allow me, the Government has no right to inspect a farmer's hog on his place to see whether he has cholera or not, and the moment that the Government official does inspect it he is going outside the governmental authority. But we gave the authority to do that when the farmer presents his pig to be inspected by the Government.

Mr. REED. Exactly.

Mr. McCUMBER. It does not prevent the right of the Government to inspect if the party owning the article is willing to have it inspected.

Mr. REED. The Government inspects hogs in the exercise of its police power upon the theory that it wants to prevent the spread of contagious disease among animals that are constantly being shipped in interstate commerce. Consequently it has very broad rights along that line. But i do not understand the position taken by the Senators who ask this amendment. I want to state their position fairly. They seem to take the position that the Government has the right to inspect all grain if it see fit to do so, provided that grain is in interstate commerce in any way. They seem, then, to take the position that the Government has not the right to inspect any grain at all lying in an elevator, although the bill they have heretofore had before Congress for the inspection and handling of grain provided specifically, if I remember correctly, for taking charge practically of the elevators.

Mr. McCUMBER. I wish to correct the Senator, if he will allow me. The bill which I introduced nowhere provides for inspection in the elevators. It proposes to inspect the grain while it is still in interstate commerce in the car, before it is delivered to the elevator. It proposes to inspect the grain when it passes out of the elevator and takes its first step into interstate trade again.

Mr. REED. Mr. President, the bill very plainly provided for the inspection of all grain that reached terminals, and the bill as originally before the Senate provided for the inspection of all grain going from one State to another. That, of course, implies the inspection of grain in elevators. There can not be any question about that proposition.

I am not going to take the time of the Senate now to argue this question. I simply say this to the few Senators who are here: This amendment is not offered for the same reason that the bill is brought forward. The bill is brought forward as an emergency measure to cover the case of the cotton planters of the South, and as amended to cover the tobacco raisers of the country, in order that those men who appear to have no satisfactory system of inspection may have an inspection and may have a Government certificate which will enable them to realize—I take it this is the purpose—upon those certificates some money until the highways of the ocean can be opened and until their production may find——

Mr. SMITH of Georgia. Until foreign trade may be once more in operation.

Mr. REED. Yes; and until the factories are once more in operation in European and other countries. That may be a very good and sound proposition for those products, because, first, there is some interference with the commerce across the ocean, although I think in 30 days that will be practically a thing of the past.

Mr. SMITH of Georgia. Mr. President——

Mr. REED. If the Senator will allow me to proceed.

Mr. SMITH of Georgia. Certainly.

Mr. REED. But I think there is more interference in the matter of manufacturing abroad, and that applies particularly to cotton. There will be a time, probably, during which it will be necessary to hold the cotton in order that the mills may turn it into cloth. But that does not apply at all to wheat.

Mr. GRONNA. Mr. President——

Mr. REED. It does not apply to wheat, and I am about to give the reason.

Mr. GRONNA. I simply wanted to ask the Senator if he is aware of the fact that the Senator from Oklahoma [Mr. GORE] introduced a bill exactly along the line of my amendment, which applies to grain? I sent the bill over to the Senator, and it is on his desk. The Senator stated on Saturday that he hoped that the two could be embodied together and passed.

Mr. REED. The Senator from Oklahoma said that, but I might not agree with the Senator from Oklahoma. I am discussing the question of emergency. There is no such emergency applying to the wheat business at all.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him? Suppose we should add a paragraph to the bill providing that it should cease to be operative six months after the conclusion of war between Great Britain and Germany, or that it should have a duration of not longer than two years; would that remove the Senator's objection?

Mr. REED. I would just want to add that it shall not apply to a State having efficient State inspection, because we have better inspection in the State of Missouri to-day than the Government of the United States will ever set up.

Mr. SMITH of Georgia. I was simply trying to avoid the issue between the Senators interested in grain. So far as I am concerned, I would be perfectly willing to add a paragraph limiting the operation of the bill to the present emergency condition that confronts the country, growing out of the European war. Indeed, I am disposed to offer such an amendment myself, in any event, a provision limiting the duration of the bill to 18 months, or 6 months after the conclusion of peace between Great Britain and Germany. The Senator is right in supposing that what I was seeking in this bill is not general legislation, to be effective at all times, but it is to meet a great emergency caused by the unfortunate condition of war which exists in foreign countries.

Mr. REED. I am sorry, Mr. President, that I did not object to the consideration of this bill when I had the right to object. I thought, however, it could come in here as a measure that would affect in the cotton-growing States that great staple, which we all want to protect and which is under a special hardship at this time. But as soon as it comes in we begin to load it down with everything else we can conceive of, whether there is an emergency or not. There is an absolute interference, of course, with the cotton business. The carrying business is interfered with, but I think that will speedily be out of the way. I have not any doubt that the commercial lanes will be opened and kept open within a very short time so that commerce will flow almost unobstructed to certain European ports. But there is an interference growing out of the fact that undoubtedly for the time being the great mills of Europe will be totally or partially paralyzed. But that is not true of the grain business, and I will tell you why it is not true.

In the first place, every human being has to eat, war or no war, and the one thing that he can not do without is the product of the grains of the world. We can grind practically all our grains in this country, so that the manufacturing would not cease at all even if the mills of Europe were stopped. The last thing in the world that will be stopped are the mills that grind flour. But even if they were stopped abroad the mills in this country can handle substantially all the grains of the country. But the mills of Europe will not stop. They would take the soldiers out of their armies before they would stop making breadstuffs. There is therefore no emergency with reference to grain.

The enactment of this bill may not be necessary for the cotton men, but the enactment of the bill is not necessary to the grain business. We might as well discuss this matter frankly. Having been twice defeated at this session of Congress in their attempt to have Government inspection of grain, our friends with a courage and persistence that is almost commendable, which would be commendable I think at any other season of the year or in any other temperature than this, have simply brought forward their hobbyhorse and say, "Now hook him up in this team that is being sent out on an emergency; and we propose to have him dragged through by the sheer force of the power that is back of an emergency measure."

Mr. President, we have put everything into the bill that can be thought of thus far, and I presume Senators think they ought to be able to put in corn and wheat. We have got tobacco in now, we have the salmon from the western coast in, and if this is going to be kept up I think we ought to extend it so that it will cover the products of all States. As I sat here and witnessed the action of the Senate in putting in the canned salmon of the Pacific coast I wondered if I was not neglecting my duty when I did not insist on putting in Missouri River cat. Mr. President, I could tell a very plaintive story about that much-abused fish. He is born absolutely without the slightest governmental protection or aid. There is no Government agent even overlooking the hatcheries in which the spawn of that delectable and edible saurian is cast upon the waters.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him for a moment? I am going to offer an amendment, and I want to read it while he is on the floor.

Mr. REED. I hope the Senator will not interrupt my dissertation on catfish.

Mr. SMITH of Georgia. Excuse me; I thought the Senator had finished on the cat.

Mr. REED. I had a beautiful vision before my mind that I was about to lay before the Senate of the wrongs of the Missouri River catfish, but it is disturbed now by this inharmonious note, and I will permit the Senator to offer his amendment or to read it.

Mr. SMITH of Georgia. I regret that I disturbed the Senator in discussing one of the great commodities of Missouri.

Mr. REED. The country has lost something.

Mr. SMITH of Georgia. This is what I have drawn:

That the provisions of this bill shall only remain in force for nine months after peace is made between Great Britain and Germany, and in no event longer than two years.

Mr. GALLINGER. It should read "the provisions of this act," I suggest to the Senator.

Mr. SMITH of Georgia. Yes; "the provisions of this act."

Mr. GALLINGER. At the proper time I shall want to be heard on the proposed amendment.

Mr. SMITH of Georgia. On this amendment?

Mr. GALLINGER. Yes; and on several others.

Mr. SMITH of Georgia. I will offer it a little later. I just suggest it. I do not formally offer it now.

Mr. REED. Abandoning the poetic theme of the Missouri River catfish and coming to the sordid things of this earth, I call the Senator's attention to the fact that his amendment ought to be changed perhaps so that it would read, "and in no event longer than two years from and after the passage of this act." That, of course, is a proper amendment to the main bill. I think it, perhaps, ought to go on it. I am not concerned in the question of cotton except as I find men from that section of the country say that an emergency exists. No emergency exists in regard to grain. We voted for it twice, I think thrice, at this session and I insist that the amendment ought to be voted down. If it is not voted down it will be necessary to debate this question for some time.

Mr. STERLING. Mr. President, just one word with reference to the view of the Senator from Missouri [Mr. REED]. I can not help but think that he takes the extreme view in regard to these two measures, the McCumber bill and the amendment proposed by the junior Senator from North Dakota [Mr. GRONNA] to the pending bill.

The Senator himself discloses in his statement as to what is not contained in the bill the difference, and the radical difference, between the two measures. After perusing or appearing to peruse the original McCumber bill for some time the Senator said he was satisfied that it provided for the inspection of grain in elevators. I want to call the attention of the Senator to section 9 of the McCumber bill.

Mr. REED. Which bill is it?

Mr. STERLING. Page 5.

Mr. REED. Of what date? There are two bills.

Mr. STERLING. The bill of May 20, 1914.

Mr. REED. That is the second bill, is it not?

Mr. STERLING. I am not sure as to that, but I think the same provision is in the amendment.

Mr. McCUMBER. I will say to the Senator that the provision is the same in Senate bill 120.

Mr. STERLING. I thought the provisions were the same in the two bills.

SEC. 9. That it shall be the duty of said inspectors to inspect and grade all grain arriving or collected at any of the aforesaid grain centers and which at the time of inspecting and grading of the same has been shipped from any other State, Territory, or country than the State, Territory, or country in which the same is inspected, or is intended for shipment into any other State, Territory, or foreign country before the same is unloaded from the car, vessel, or other vehicle in which the same was or is being transported—

And so forth.

So it excludes altogether the idea of inspection in the warehouse or in the elevator.

The Senator from Missouri is willing to support the original bill on the ground that a necessity exists with reference to the one product—cotton. He says no necessity whatever exists in regard to grain. I wonder if the Senator can state how many millions of bushels of wheat will be for export this year in the United States. I can not state it exactly, but I ought. From what I know of the production there will not be less this year than 100,000,000 bushels of wheat for exportation.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Missouri?

Mr. STERLING. I yield.

Mr. REED. The Senator did not read all the section he referred to. On page 6, in the copy I have, he will find the following proviso:

*Provided, however*, That such inspector, upon request of the owner or agent of any grain at the point or place where an inspector may be located, whether or not the grain has entered into interstate commerce, shall inspect the same and deliver his certificate therefor in the same manner as other inspections are made and for the same charge; and whenever the owner of grain at such place shall request and furnish facilities therefor, said inspector shall also weigh such grain and deliver to the owner or his agent his certificate showing the gross and net weight of such grain, under such rules and regulations as may be prescribed by the Secretary of Agriculture.

Does the Senator not understand that under that a man having an elevator may have his grain inspected?

Mr. STERLING. I do not understand any such thing from the reading of that proviso, but that is covered by the original provision that it shall be inspected before it is unloaded from the car. Nothing in the portion of the bill read by the Senator excludes that idea.

As I was about to say, I think perhaps there will be a hundred million bushels of wheat for export this year. Why may not the same emergency——

Mr. SIMMONS. Mr. President——

Mr. STERLING. If the Senator will excuse me, why may not the same emergency exist with reference to the exportation of wheat and in getting it to a foreign market as there will be for southern cotton, not to the same extent, because I understand you export 60 per cent of the total product of cotton, and we will export this year, say, 100,000,000 bushels of wheat?

Mr. McCUMBER. Let me correct the Senator there. If the crop is such as it is estimated, we will export in flour and wheat the equivalent of over 300,000,000 bushels.

Mr. STERLING. That may be. I was speaking of wheat alone, without reference to flour.

Mr. SIMMONS. That is what I wished to say to the Senator.

Mr. STERLING. So the market for wheat and all other grain may be depressed because of the lack of facilities for transportation, just as the market for cotton would be depressed, and the farmer and producer would suffer loss on that account. So I think, Mr. President, perhaps not to the same great degree as in the case of cotton, but he may suffer to a great extent, and the amendment proposed by the Senator from North Dakota is surely reasonable in the light of our conditions.

Mr. REED. Before the Senator takes his seat, he construes the language which I read on page 6 as being governed by the language which preceded it, which was that the grain should be inspected before it is unloaded. I do not think that construction is correct, but in order to show the Senator that the purview of the bill is not at all limited to the inspection of grain before it is unloaded from the cars, but that there is a provision governing the grain after it leaves the cars, I call his attention to sections 12 and 13:

SEC. 12. That when any grain which having been inspected and certificate of inspection issued hereunder is mixed with any other grain not inspected or with grain which has been inspected and certified at a different grade, at such terminals, the same shall not be shipped out of the State where such mixing is done without being reinspected and graded.

The very term "mixing" implies going into an elevator. It implies that grain has been unloaded and has gone into an elevator, and before you can take it out to ship it anywhere you must have it inspected.

And so also section 13:

SEC. 13. That the shipment or consignment of any grain aforesaid from any of the places mentioned herein to another State or foreign country without the same being inspected and graded as herein provided is hereby prohibited; but where grain has been once inspected hereunder, and remains unmixed with other grain, the same need not be reinspected at the place from which it is exported.

The two taken together clearly imply and clearly were intended to govern the idea of grains being inspected in elevators after they had been unloaded, taken into the elevator, and there mixed with other grain.

Mr. STERLING. As I read the section referred to by the Senator it applies to a special case and it is outside of the general rule. Section 12:

That when any grain which having been inspected and certificate of inspection issued hereunder is mixed with any other grain not inspected or with grain which has been inspected and certified at a different grade, at such terminals, the same shall not be shipped out of the State where such mixing is done without being reinspected and graded.

And that does not say that it shall be inspected in the elevator at all or while in the elevator.

Mr. REED. But that is just where it would be inspected, as it came from the elevator. Now, the Senator wants to be fair about this, I know.

Mr. STERLING. Certainly.

Mr. REED. And he understands perfectly well that the Senator from North Dakota stood here on his feet for days com-

plaining that grain went into the elevator graded one way and came out the other, and he insisted that what he did want was a grading of the grain that would be a permanent grading by the Government.

Mr. President, when grain goes into the elevator everybody knows that it may justly go in as one grade and justly come out as another, because in the meantime the grade may have been improved. Accordingly, it follows that the whole of this legislation was intended to cover the grain not only in the cars but the grain in the elevators and the grain in place. But if the Senator can show me that there is a necessity for the issuance of warehouse receipts against grain under Government inspection at this time, that there is an emergency of that kind existing, I shall be perfectly willing to see a bill passed that will cover that question.

So far as my State is concerned, where we have State grain inspection, it has been the custom for years, when the grain has been graded and put in an elevator and the warehouse certificate issued against it, that warehouse certificate is as good bankable paper as you want. We have no difficulty whatever about it. I do not want that system interfered with or broken up.

There is no necessity in my State whatever—there may be in the Senator's—for any Government brand in order to enable our grain dealers to get money upon their grain. State grain inspection and a warehouse certificate are all that are necessary, and upon that certificate you can borrow almost 100 cents on the dollar.

Mr. STERLING. Mr. President, wherein will this bill injure the grain-inspection business in the Senator's State? It is the purpose of the bill to afford relief to those who can not and do not wish to sell now at the depressed price of grain due to war conditions, because of the difficulties in exportation; but if the certificate of the warehouse or elevator in his State is such a certificate as will enable him to procure money upon it, the Senator does not want anything better, and it will only be in a rare case, perhaps, when under the terms of this bill an elevator or warehouse man may, at his option, seek to have the Government license. Perhaps none will seek to have such license. Then it will not hurt the Senator's State, but will apply to those States where they have no State grain-inspection system, and perhaps to some rare case where they do have such a system but where somebody or some company feels they would like to have the Government's certificate as to the grade of the grain.

Mr. REED. I call the Senator's attention to the fact that I have already stated two reasons. One is that when the State inspectors proceed about their business in the proper way there is always some man ready to dispute their authority, and the adoption of this provision would afford him a chance to say, "Well, I will not have any State inspection; I will get a Government inspection and will disregard your board."

I also called attention to the graver question, that if the Government starts upon the matter of inspecting grain in interstate traffic, that right, having been exercised by the Government, will be exclusive of the rights of the States, and, in my opinion, will wipe out every State inspection board there is unless they are excepted. Why do the Senators object to excepting them?

Mr. STERLING. Mr. President, as to the first objection made by the Senator from Missouri, to the effect that somebody in his State would find fault with the State grain-inspection system and take advantage of this legislation, I say it would be a very trifling matter, as it seems to me, and the disadvantages that would arise in the Senator's own State would be so few and inconsequential compared to the greater advantages that would accrue to the people of other States and to the country at large that they could easily submit to any such disadvantages in order that we might have this general system.

Mr. President, as to the second objection made by the Senator, it seems to me, under the statement made by the Senator from Georgia [Mr. SMITH] and under the amendment which he proposes to introduce, and which will be supported by those who are advocating the amendment of the Senator from North Dakota, that there can be nothing in his second objection. The amendment of the Senator from North Dakota does not contemplate in any sense a general Federal grain-inspection system; it is limited, first, by the particular emergency of war and the lack of transportation facilities, and, second, by the time limit put upon it in the proposed amendment.

Mr. REED. But in the meantime the State grain-inspection system is wiped out for two years or for whatever length of time the war lasts.

Mr. STERLING. Mr. President, I do not agree with the Senator that his State inspection system will be wiped out or interfered with under this proposed system. You can not put any such construction upon the amendment.

Mr. REED. I think that follows, although I say frankly I have not had the opportunity since this debate began this morning to examine the cases upon that to see how far they have gone; but I think it very dangerous.

Now, as to its effect in my own State, I trust the Senator who lives in the State of South Dakota will not undertake to tell me what the effect will be in my State, because we have there a State grain-inspection system, with which I am somewhat familiar, and I understand that in his State they do not have any inspection system at all.

Mr. President, the annoying thing about all this is that we are being harassed here by two States that do not have enough interest in the matter to establish a State inspection system of their own. They produce vast quantities of grain; they are splendid States; they have wide-awake citizens. Why do they not provide for an inspection of their own grain? Other States do it. The great State of Minnesota does it; Missouri does it; Kansas does it; and I might name a large number of other States which do it; but here sit the Dakotas, serene and silent, until they get down here to Congress, and then they want Congress to inspect their grain for them. Those States have a perfect right to establish a State grain-inspection system. Why do they not do so?

Mr. STERLING. Mr. President, I will say to the Senator——

Mr. SMITH of Georgia. Let me ask the Senator if he would object to this——

Mr. STERLING. Just a moment. I have but a word further to say. We have a right to establish a State grain-inspection system, but, Mr. President, as has been indicated here already in the long debate which ensued on the McCumber grain-inspection bill, we are expecting and hoping for something better than a State grain-inspection system ultimately, and that will be a uniform Federal grain-inspection system, something for which we are not asking in this bill at all.

Mr. President, just this word: I disclaim any particular knowledge in regard to conditions in Missouri. I agree that the Senator from Missouri knows the situation in his own State, and knows it thoroughly. It is because I think his State grain-inspection system will not be injured or imperiled in any way by this system that I speak as I do and urge the adoption of this amendment. I hope that the Senator will see that no injury is threatened to his own State.

Mr. SMITH of Georgia. Mr. President, I wanted to ask if what I am about to suggest would be objectionable to Senators. I am seeking, if possible, to heal the differences between the Senators from the grain States, and to avoid the consequences from their differences to that part of the bill which is not resisted. I suggest the following amendment:

SEC. 18. That none of the provisions of this act shall interfere with any system of inspection provided for in any State.

I merely suggest that to Senators to see if it is acceptable to them; if it would not relieve them from the differences that now separate them. I shall offer an amendment when I have an opportunity to do so, providing:

SEC. 19. That the provisions of this act shall remain of force for only nine months after a treaty of peace has been ratified between Great Britain and Germany, and in no event shall they remain of force longer than two years.

I shall offer that amendment; and if Senators agree to it, I suggest, as a means of saving the bill from the controversy that exists between them, the other amendment which I have indicated, as follows:

That none of the provisions of this act shall interfere with any system of inspection provided for in any State.

I understand that will avoid what the Senator from Missouri fears; and I understand also that the Senator from North Dakota does not desire that this legislation should interfere with any State inspection system. If that is what the Senator from Missouri fears, and that is not what the Senators from the Dakotas desire, then we might put this in express terms and remove the objection of both Senators and save the measure in which I am so much interested from the cross-fire to which it is subjected through there not being perfect agreement between the Senators from the grain States.

Mr. REED. What says the Senator from South Dakota?

Mr. STERLING. Mr. President, I do not want to be misunderstood in regard to my position in this matter. I say now, as I previously said, that I fully believe the situation to be that this proposed legislation will not interfere with State grain-inspection system, but that it will simply permit anyone who is desirous of doing so, under the bill, to apply for a Government license; that is all.

Mr. REED. Well, if that is what the Senator believes will result, does the Senator accept the suggestion made by the Senator from Georgia?

Mr. STERLING. I do not like to say that I accept that suggestion without conferring with or without hearing from the Senator from North Dakota, who originally introduced the amendment here.

Mr. GRONNA. Mr. President, if the State inspection is as good as the Senator from Missouri [Mr. REED] has portrayed it to be, I can see no reason why we should place a limitation upon this language such as that proposed. I have said all the time that I believe—and I say it again—that this amendment will in no way create a Federal inspection system. The Secretary of Agriculture will not have the authority to establish a Federal inspection bureau, under this bill. As the Senator from Georgia has indicated he will introduce an amendment limiting the time to two years, and I have no objection to that amendment, I can see no reason why we should further place restrictions upon the amendment which I have proposed.

Mr. SMITH of Georgia. Allow me to make this suggestion to the Senator: As this bill to be passed is to last only for two years, does he think it would be wise that we should by any possible construction of the measure interfere with established State systems that are to continue after this bill ceases to be of effect? I do not think it would; I do not understand that the bill is intended to apply except where the parties request a license; but as a question of doubt has arisen, does the Senator not really think that it would be wise to say that we do not intend to interfere with State inspection? We let that go on, but enact this bill as a supplemental matter.

Mr. GRONNA. I have implicit confidence in the Secretary of Agriculture; I do not believe that the great Secretary of Agriculture will make any mistake along that line. For that reason I can not see why this restriction should be incorporated in the bill.

Mr. REED. Mr. President, in other words, the Senators stand here and say that absolutely it will not interfere with the State system, but the minute it is proposed to put that in writing then they refuse to accept it.

Mr. SMITH of Georgia. Mr. President, I think if Senators will consider it they will not resist this amendment. This legislation does not interfere with the State inspection; we agree that it does not do so. If this legislation is to last for but two years, it ought not to interfere with systems of State inspection, and I do hope that Senators will not resist the amendment. I hope, therefore, Senators will accept the amendment.

Mr. GRONNA. Mr. President, I want to say that I am in favor of Federal grain inspection, so far as I am personally concerned, and to accept an amendment of that kind would be an indication that in everything that I have said heretofore I have been inconsistent. While, as I have said, I do not believe that the amendment I have offered could in any way be construed to mean Federal inspection of grain, I can not accept the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota.

Mr. SMITH of Georgia. Would the Senator from North Dakota be willing before his amendment is voted upon for me first to test the sense of the Senate on the two amendments that I wish to offer from the committee? If they are adopted, I think there will be no opposition to his amendment; but if they are not adopted then we will have to continue the fight. The Senator from Missouri says that if the two amendments I have suggested are adopted he will make no further fight upon the amendment of the Senator from North Dakota. Therefore, if the Senator from North Dakota would withdraw temporarily his amendment and let me see whether or not the Senate will adopt the amendments I have indicated it will possibly facilitate action on his amendment.

Mr. GRONNA. Mr. President, I can not withdraw my amendment. As I understand, I have no right to withdraw it. I shall be glad, however, to accept the amendment of the Senator from Georgia placing a limitation upon the time during which the measure is to be in force; I am sure there will be no objection to that amendment; but I do not care to withdraw the amendment I have offered.

The VICE PRESIDENT. The Senator from North Dakota can withdraw his amendment and reoffer it, if he chooses to do so. That is within his power.

Mr. GRONNA. I will ask the Chair if I would lose any rights by so doing?

The VICE PRESIDENT. The Senator would lose no rights whatever.

Mr. GRONNA. I agree, then, Mr. President, to withdraw the amendment which I offered, in order to allow the Senator from Georgia to offer the amendment which he has suggested, placing a limitation upon the time during which the measure is to be effective.

The VICE PRESIDENT. The Chair will stay here to see that the Senator from North Dakota is accorded his rights.

Mr. SMITH of Georgia. I tender first the amendment which I send to the desk.

The SECRETARY. At the appropriate place in the bill it is proposed to insert:

SEC. 19. That the provisions of this act shall remain of force for only nine months after a treaty of peace has been ratified between Great Britain and Germany, and in no event shall they remain of force longer than two years.

Mr. REED. From the date of the passage of the bill.

Mr. SMITH of Georgia. From the date of the passage of the bill. I accept that suggestion, and ask that my amendment be so modified.

The VICE PRESIDENT. The amendment will be so modified.

Mr. GALLINGER. Mr. President, I will ask the Senator why it is necessary that the measure should remain in force nine months after peace has been declared?

Mr. SMITH of Georgia. Well, the warehouses would be in operation, and it would probably take from six to nine months after peace is declared to dispose of the products and to terminate the then existing situation. Probably six months would be long enough, for as soon as trade becomes normal again the supervision would entirely cease. That was my original view; I first put it "six months," and then I thought possibly it would not be practicable to complete the work and to close out the certificates growing out of the Government action for nine months. Therefore I made it nine.

Mr. GALLINGER. Perhaps that is so, and I will not oppose the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Georgia. Now, Mr. President, I offer the other amendment to which I have referred.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the proper place in the bill it is proposed to insert:

SEC. 18. That none of the provisions of this act shall interfere with any system of inspection provided for in any State.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. GRONNA. Mr. President, I hope that that amendment will not be adopted. I do not feel disposed to consume the time of the Senate and further delay the passage of the bill by discussing it, but I sincerely hope that it will be voted down. I can see no reason why we should not trust the Secretary of Agriculture with carrying out the provisions of this bill. The amendment first offered by the Senator from Georgia, and which has now been adopted, providing that in no event shall this measure remain in force for longer than two years, ought to be sufficient. I am not going to say anything more about this amendment, but I sincerely hope that it will be voted down.

Mr. GALLINGER. Mr. President, I was not privileged to attend the sessions of the Senate on Saturday last, when this matter was discussed, and I have had little opportunity even to glance over the RECORD to see exactly what was proposed and what was accomplished. To my mind this is very extraordinary legislation.

Three weeks ago—and I am not about to divulge any secret, because a statement to the same effect was given out at the White House and published by the press of the country—three Members on this side of the Chamber were honored with an invitation to confer with the President. In that conference the President distinctly stated to us that he was interested in the bills which he named—the trade commission bill, the so-called Clayton bill, and the bill regulating the issuance of stocks and bonds by railroads. He made no suggestion that he would in any way undertake to keep the Congress in session beyond the time necessary for consideration of those bills. We came away from the conference, Mr. President, with the purpose of doing what we assured the President we would do, and that was not to obstruct, except by legitimate debate, the consideration of those important measures which the Chief Executive considered to be important. Since then one of those bills has been passed; a second one has been under consideration to a greater or lesser extent, but during that time we have been bombarded with so-called emergency measures. Pretty nearly everything that is offered now is an emergency bill, and I suppose we will continue to have emergency bills ad infinitum.

I do not pretend, Mr. President, to fully understand the emergency which exists for the passage of the bill now under consideration. I do know that we all would like to have our

financial affairs taken charge of by the Government sufficiently to enable us to realize on our investments, whatever they may be. The men who have lost millions through investments in stocks and bonds I have no doubt would like to have the Government get behind those securities and enable them to recoup their losses, or at least to get their money out of the investments which they have made and which in many instances have been very unfortunate. Our manufacturers, who are now running as best they can, piling up textiles, boots and shoes, and other commodities, the trade being greatly interrupted because of the war, would doubtless like to have the Government authorize them to build sheds and warehouses in which to put their goods and to have certificates issued against them, so as to be able to realize money on the manufactured article. I shall probably offer an amendment touching that point. If cotton is to have this privilege, why not grain? Why not, indeed, naval stores, as the Senate has already voted? Why not, indeed, canned salmon, which went on the bill to-day? Why not, indeed, other products of the farm and the sea and the factory and the mill?

I am old-fashioned enough, Mr. President, to believe that this is vicious legislation. If every time an industry in the United States gets into trouble to a greater or less extent the Government is to be asked to get back of it and validate it and make the investment profitable and enable men to get their money out of it, whatever the venture may be in which they are engaged, while I may be wrong about it, I do not see where the end is to be.

Again, Mr. President, I confess I do not see where or when the end of the session is to be. The President gave us some hope of a little respite from the toil and torridity of this Chamber. He did not tell us when, in his judgment, the time would arrive, but it was to arrive at the end of the consideration of three important administration measures, no one of which in its entirety commended itself to me, but yet I was ready to cooperate and to have them voted on. If, however, those measures are to be halted and all conceivable kinds of bills are to be thrust in here on the plea that there is an emergency existing somewhere, and we are to be kept here debating them day in and day out, when is the end to come? I say this very modestly, because I have only 1 vote out of 49—that is about the most we can muster here now—and my vote will not count for very much if the 48 are against me, but I am serious about this matter; I am troubled about it, and I hope that if this bill does go through it will at least be the last emergency bill, unless there is a real emergency, we will be asked to vote upon.

I apprehend that the emergency scheme that the Government should buy ships from a belligerent nation and engage in commerce on the seas is about exploded, and if it is not exploded I am going to take considerable time to discuss it when it is before the Senate; but that has been held up to the country as an emergency measure, and it has been said that we must do extraordinary things and risk trouble on the ocean with contending nations because of the fact that European countries are at war.

Coming down to the amendment offered by the Senator from North Dakota [Mr. GRONNA], and not particularly addressing myself to the amendment that is now pending, because I know very little about it, I can not see why, if cotton is to have advantages by special legislation, the grain of the great West should not have equal advantage. I assume that the exportation of wheat and other agricultural commodities is halted to some extent—perhaps not to the same extent that is true of cotton, but to some extent—and I know of no reason why they should not be protected to the extent that trade is interrupted.

Mr. President, I want to see this session get along; I should like very much to be able, looking into the future, to see the end come in about two weeks from the present time, because I am willing to sacrifice myself and be a martyr that length of time in addition to what I have already endured, but I am afraid it will not come if the great measures which the President told us must be acted upon, and that no suggestion would be entertained of an adjournment of this session until they were acted upon, are delayed indefinitely by other matters. If they are to be held up for the consideration of measures of all kinds, labeled "emergency measures," then, Mr. President, I am fearful that I will have to wend my way to my home and leave Congress still in session, with possibly less than a quorum, and being forced to adjourn because of the fact that a sufficient number of votes can not be mustered to do business.

It was a very deplorable spectacle this morning that a few of us, gathering here in answer to the command of the Senate given on Saturday last that we should meet at 11 o'clock, had to waste an hour of time in getting 49 out of the 96 Senators to answer to their names. If that is to continue—and we all know that it will grow worse instead of better—we will not only be wasting our time here, but we will be wasting our energies and lowering our vitality for the purpose of passing legislation by a bare quorum of the Senate while Senators better able to remain here than some of the rest of us are enjoying themselves somewhere else.

Mr. President, I shall not oppose the amendment just offered by the distinguished Senator from Georgia [Mr. SMITH] because, as I have said, I know very little about this matter of inspection, and when the amendment submitted by the Senator from North Dakota [Mr. GRONNA] is again submitted to the Senate I certainly shall vote for it, and later on I propose to offer an amendment looking to the protection of the manufacturing interests of the section of the country which I in part represent.

Mr. SMITH of Georgia. Mr. President, I shall not reply to the general remarks of the Senator from New Hampshire. I have no doubt the conference with the President to which he refers took place before the war in Europe began, and it had reference to the condition of legislation as it then presented itself.

With reference to the amendment I have just offered, I hope it will be adopted, because if it is it will simply carry out in plain language what I conceive to be the spirit and purpose of this bill. I do not think the bill was intended to interfere with State systems of inspection. I do not think it would interfere with them, but it would seem to be most desirable to make it clear and thereby relieve the bill from the opposition of Senators who fear that it might interfere with State inspection.

Again, we have adopted an amendment which limits the operation of this bill at most to a duration of two years. I think it would be most unfortunate to interfere with any State system of inspection by a bill that itself is not to last longer than two years. So it would seem that for every reason it is wise to adopt this brief amendment, which carries out the construction of the bill already entertained by the Senator from North Dakota, and will relieve us from further strife if we adopt it. We will then, I hope, be able to adopt without opposition the amendment offered by the Senator from North Dakota.

Mr. GALLINGER. Mr. President, the observations I made would lose much of their potency if I did not make the point of no quorum, so that we might have at least one-half of the Senate present to consider this important measure. I make that point.

The PRESIDING OFFICER (Mr. KERN in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Ashurst | Gallinger | McCumber | Sheppard |
| Brady | Gore | Martin, Va. | Shields |
| Bristow | Gronna | Martine, N. J. | Shively |
| Burton | Hollis | Myers | Smith, Ga. |
| Camden | Hughes | Nelson | Smith, Md. |
| Chamberlain | Johnson | Overman | Smoot |
| Chilton | Jones | Perkins | Sterling |
| Culberson | Kenyon | Pittman | Thomas |
| Cummins | Kern | Poindexter | Thompson |
| Dillingham | Lane | Pomerene | Thornton |
| Fall | Lea, Tenn. | Reed | Walsh |
| Fletcher | Lee, Md. | Shafroth | White |

Mr. PITTMAN. I wish to announce that the junior Senator from Delaware [Mr. SAULSBURY] has been compelled to leave the Senate on account of sickness. He is paired with the junior Senator from Rhode Island [Mr. COLT].

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The question is on the amendment offered by the senior Senator from Georgia [Mr. SMITH].

Mr. McCUMBER. I should like to hear the amendment read.

The PRESIDING OFFICER. Let the amendment be stated.

The SECRETARY. It is proposed to add as section 18 the following:

SEC. 18. That none of the provisions of this act shall interfere with any system of inspection provided for in any State.

Mr. McCUMBER. Mr. President, I certainly can see no objection whatever to that amendment. While I shall not vote for it upon general principles, because I am against all kinds of State inspection, and desire Federal inspection, we could not abolish State inspection if we wanted to. The Government would have no authority whatever to prevent any State inspecting any grain within its borders, or any cotton within its borders, and the bill which I introduced, and which was defeated here by the Senate some time ago, did not in any way, shape, or manner attempt to interfere with State inspection. The only danger to State inspection that would result from the passage of that bill would be that it would give us such a reliable system of inspection that the States probably would

not continue their inspection very long, because no one would demand it when they could get a better system.

So while, as I say, I will not vote for this amendment, I am perfectly willing to admit that the amendment can certainly do no harm, because we can not prevent State inspection anyway.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. GRONNA. I ask that my amendment may be stated.

The PRESIDING OFFICER. The junior Senator from North Dakota reintroduces an amendment, which will be stated.

The SECRETARY. The junior Senator from North Dakota introduces the following amendment:

Add, as a new section, the following:

SEC. 17. That all the provisions of this act are hereby extended to include elevators and warehouses for the storage of grain and flaxseed, together with inspection, classification, and issuance of receipts and certificates, to the same extent, so far as applicable, as the same are specifically made applicable to warehouses for the storage and classification of cotton, under such rules and regulations as the Secretary of Agriculture may prescribe.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from North Dakota.

The amendment was agreed to.

The PRESIDING OFFICER. The amendment offered by the senior Senator from North Dakota will be stated.

The SECRETARY. The senior Senator from North Dakota offers the following amendment, to follow the amendment just agreed to:

That all the provisions of this act shall apply, as far as practicable, to warehouses for, and inspection of, wheat, oats, barley, corn flaxseed, and rye, and the further sum of $50,000, or so much thereof——

Mr. McCUMBER. Mr. President, the amendment that was offered by my colleague was substantially the same as that, with the exception of the provision relating to an appropriation of $50,000. Therefore I withdraw my amendment, with the exception of the portion which relates to the appropriation. If the Secretary will just read that, I will move it, not as an amendment to the amendment of my colleague, which has been adopted, but as an addition to follow the amendment just adopted by the Senate.

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The SECRETARY. After the amendment just agreed to, it is proposed to add a new paragraph, to read as follows:

And the sum of $50,000, or so much thereof as may be required, is hereby appropriated to pay salaries and expenses relative to grain warehouses for and inspecting of the said grain.

Mr. SMOOT. Mr. President, I simply wish to call the Senator's attention to the fact that that does not take care of flaxseed.

Mr. McCUMBER. Flaxseed is inserted there, if the Secretary read it correctly.

Mr. SMOOT. I will ask to have the amendment again read.

The Secretary read as follows:

That all the provisions of this act——

Mr. SMOOT. I do not mean that; I mean the last amendment offered by the senior Senator from North Dakota, referring to the appropriation.

Mr. McCUMBER. I will ask to insert the word "flaxseed." It is regarded as a grain in the market, and it is really not necessary for that reason.

Mr. SMOOT. It is not regarded as a grain under the law.

Mr. McCUMBER. Very well.

Mr. SMOOT. If the Senator wants the $50,000 to cover both grain and flaxseed, it should be so stated.

The PRESIDING OFFICER. The word "flaxseed" is in the amendment offered by the junior Senator from North Dakota.

Mr. McCUMBER. Yes; the word "flaxseed" appears in the amendment offered by my colleague, so I do not think it is necessary here.

The PRESIDING OFFICER. The question is on the amendment offered by the senior Senator from North Dakota.

Mr. CHILTON. What is the amendment?

The PRESIDING OFFICER. The amendment will be stated.

The Secretary again read the amendment.

Mr. CHILTON. Do I understand that the amendment including grain has been adopted?

Mr. McCUMBER. It has been adopted; and as $50,000 was regarded as necessary for cotton, it seems hardly just to cut that in two and give only about $25,000 for cotton. Therefore, as we have adopted an amendment making it cover grain, flaxseed, and so forth, it seems quite proper that we should increase the appropriation another $50,000 to cover that.

Mr. CHILTON. Mr. President, there is an amendment I desire to offer to the amendment offered by the Senator from North Dakota; and I should like very much to have him move to reconsider that vote, so that I can offer the amendment.

The situation is simply this: I am very much in favor of this kind of legislation, but I was not here when the amendment was adopted, and I desire to bring the situation in West Virginia to the attention of the Senate. The States of Ohio, Indiana, Illinois, Kentucky, and West Virginia are largely interested in the production of petroleum oil. The situation in those States at this time is really pitiable. A market has been built up for the sale of petroleum, and it must be transported by pipe line. Whether that be conducted by a trust or not makes no difference here, and I make no charges one way or the other; but the fact remains that the people who produce oil in those States have learned to rely upon the pipe lines as the transportation agency to deliver the oil to the market. As a matter of fact, the oil is turned in from the oil wells to the pipe line and it is sold in the pipe line upon certificates.

Oil has been selling for about a year for $2.50 a barrel. I do not speak accurately; perhaps I should say for several months; but within the last 30 or 60 days the price of that oil has dropped from $2.50 to $1.50 a barrel, and within the last 10 days the pipe lines and the purchasers of oil have notified the oil companies and the oil producers that they will purchase no more oil whatever. Now, that does not mean that it will affect a few people. It means that it will affect thousands and tens of thousands. In my State there are over 20 counties where this is one of the chief products. Banks rely upon the little stipend that comes to the farmer and comes to the oil producer to keep their bank deposits in proper shape. The oil drillers rely upon this business. The timber people rely upon the building of the rigs, and the pipe business depends upon it. In fact, the whole business of a great section of my State, covering 20 or 25 counties, relies largely upon the production of oil.

Mr. NELSON. Will the Senator from West Virginia yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. CHILTON. With pleasure.

Mr. NELSON. I think the only way to reach the evil of which the Senator complains is to restore section 3 in the trade commission bill. That was a section that exactly fitted the case in hand. As I understand, the Senator's aim is to compel the Standard Oil Co. to acquire more oil.

Mr. CHILTON. No, sir; not at all. That is not the idea at all. That would not do it; and that section never would accomplish anything for anybody, for the reason that coal, oil, and the different products of mines which it was intended to relieve never have more than a day's product, or at most two or three days' product, on hand, and you can not compel a man to sell his future product. As a matter of fact, when you speak of coal and oil, he never has any product on hand when a man comes to purchase. There was nothing in that amendment that would ever relieve any situation; and it was stricken out by the Senate committee partly for the reason that it was probably ill-advised legislation in principle, but mainly for the reason that in its practical workings it could not bring any benefit to the people it was intended to relieve.

Mr. President, so serious has the situation become in the States of Pennsylvania, West Virginia, Ohio, Indiana, Illinois, and Kentucky, in these great regions which produce the white-sand oil, the finest grade of oil there is, that public meetings have been called, and the whole business of those sections has been paralyzed. The emergency is probably larger in extent and more severe and far-reaching in its consequences than in the case of any of the other products which have been mentioned.

I want an amendment put on the bill that will reach that situation. Then, Mr. President, there is another situation in my State that ought to be reached. One of the greatest crops in this country is the apple crop of Virginia and West Virginia. The Senators smile, as they did the other day when the Senator from New Jersey mentioned applejack. We do not make any applejack. I live in a dry State. It is dry by 93.000 majority out of a vote of 270,000, and we are enforcing the law. But, Mr. President, the apple crop of West Virginia and Virginia is sold principally in Europe, and it is sold along in the fall of the year. Along about September and October is the time when the apple buyers come in there, and it is an immense product. There are no buyers at all for that product now. These countries are at war. There is no chance for us to sell that product; and if the growers could store their apples in warehouses in some way, it might bring relief to them.

Therefore, without going further into the matter, except to say to the Senate that this is a most serious situation—just as serious to my people and to the States named as could possibly be the cotton situation or the tobacco situation or the canned-salmon situation or the grain situation—I want to offer an amendment providing that the storage of oil and the warehousing of apples may be included in the amendment; and I will ask the Senator whether he would object to my moving to reconsider the vote whereby his amendment was adopted, for that purpose alone?

Mr. McCUMBER. Mr. President, that is not at all necessary, because it is a different subject matter, the same as grain is a different subject matter from cotton. All the Senator has to do is simply to make his motion to add another provision, which he can formulate in the same way. I would not want to jeopardize the other amendment, which, as I counted the yeas and nays, was carried by only one vote.

Mr. CHILTON. The Senator understands that I voted for his provision, and I did not want to move to reconsider without his permission.

The PRESIDING OFFICER. The bill will be still open to amendment after this amendment has been disposed of.

Mr. CHILTON. I will endeavor to prepare an amendment.

The PRESIDING OFFICER. The question is on the amendment of the senior Senator from North Dakota.

Mr. JONES. Mr. President, I wish to make a suggestion to the Senator. Would it not be better simply to raise the amount provided in the bill to $100,000, and let that amount be used for carrying out the provisions of the act? The bill, in reference to the $50,000, reads as follows:

> That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $50,000, available until expended, for the expenses of carrying into effect the provisions of this act

Mr. McCUMBER. If that is the way it reads, I think it is better to make it $100,000, instead of adding another provision. I was laboring under the idea, not having the bill before me, that that related simply to cotton.

Mr. JONES. It is a general provision. I simply make the suggestion to the Senator.

Mr. McCUMBER. If it is a general provision, I will, then, withdraw the other amendment I offered, and in lieu of it move to strike out "$50,000" and insert "$100,000."

Mr. SMITH of Georgia. Mr. President, I shall be glad to accept the amendment, so far as I am authorized to speak for the committee.

Mr. WEEKS. Mr. President, I desire to suggest to the Senator from North Dakota that while he is amending the bill by appropriating additional money to carry out its provisions he ought to endeavor to make the amount sufficient to really put the bill into operation. With naval stores, tobacco, cotton, wool—which, I believe, is to be added to the bill—grain, manufactured goods, canned salmon, and other products, the slightest examination of the powers which are to be given the Secretary of Agriculture will indicate that if the bill is put into operation it will cost a million dollars rather than $100,000. Therefore I suggest to the Senator that he increase his amendment to an amount sufficient to really put the bill into operation. I am an economist, and I do not wish to spend the money, so I will not offer an amendment to the amendment, but I hope the Senator will do so.

Mr. McCUMBER. I will say that I am satisfied with the $100,000 at the present time.

The PRESIDING OFFICER. The amendment has been accepted, as the Chair understands. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I understand the Senator from West Virginia is preparing an amendment.

Mr. CHILTON. Yes; I am.

Mr. GALLINGER. I have been meditating a little on this bill. I am rather too tired to meditate much, but I have been meditating a little. I have been wondering where the Senators from the State of Washington are.

Mr. JONES. Here is one of them.

Mr. GALLINGER. There is a lot of beautiful lumber up on Puget Sound that the Senator from Washington told us the other day they can not get shipped to market. Do they not want the Government to get back of it and issue certificates on it?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. GALLINGER. I yield, with pleasure.

Mr. BORAH. I have not thought much about lumber, but I should be glad to have the Senator use his influence to get wool in.

Mr. GALLINGER. I will vote for wool, of course. I am going to vote for every proper amendment that is proposed, because I think this ought to be an omnibus bill. It is getting to be that now, very rapidly; and I confess this lumber matter troubles me.

Mr. POINDEXTER. Mr. President——

Mr. JONES. Mr. President, I want to suggest that both Senators from Washington are here, and that it is not too late yet to include lumber. I suggested the other day that we should have lumber.

Mr. GALLINGER. Why not?

Mr. JONES. One provision of the amendment referred to by the Senator from West Virginia was with regard to apples. That affects us, too.

Mr. GALLINGER. That affects my little State—the apple provision. Why not include apples?

Mr. JONES. Ours, too.

Mr. MARTINE of New Jersey. Now, your friend from New Jersey has something to say about that. [Laughter.]

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the junior Senator from Washington?

Mr. GALLINGER. I yield to the Senator from Washington, because I know he has overlooked a very important matter which affects his own State; and as he will be a candidate for reelection later on, he does not want to omit it, of course.

Mr. POINDEXTER. That is quite a long way off yet, Mr. President, and many events may occur in the meantime. There are so many products of the State of Washington, such a great variety of them, that I am sure the Senator from New Hampshire, who is so friendly toward the West always——

Mr. GALLINGER. Always.

Mr. POINDEXTER. Will forgive us for not including in this bill everything that we produce. We have been fortunate enough already to have two of our great products included, one of which is salmon. I noticed, by the way—and I was very much surprised to notice it—that some Senators who voted here the other day against Government storage of silver voted with great alacrity in favor of Government storage of salmon; but, of course, I have no objection. It was merely a curious observation. We also have grain included in the bill now, and we are soon to have an opportunity to vote upon apples; and while the Senator is calling attention to the products of Washington and the Senators from Washington—in view of the fact that we have gotten salmon into the bill—I am very much surprised that the Senator has not gotten codfish in. It is one of the great New England products.

Mr. GALLINGER. I will leave that to the Senators from Massachusetts. The sacred codfish is under their special care.

Mr. OVERMAN. Irish potatoes ought to be in, too. Do not the Senators think so?

Mr. POINDEXTER. I might suggest, also, that one of the favorite New England commodities is beans.

Mr. GALLINGER. Yes.

Mr. President, my meditations led me a little beyond the lumber of Puget Sound, but I really am somewhat distressed about that omission, and I hope it will be provided against. The Senators from California are not here, but it is a well-known fact that when you ask a bright young California girl what they do with all their fruit, she says: "We eat what we can, and we can what we can't." I do not see why the California Senators are not getting in their canned fruits; they are exported, and the Government ought to protect them. They can not send them abroad now, and they will spoil. They may have lead poisoning as a result of keeping them in cans too long, and this ought not to be permitted.

Then there is Heinz's 57 varieties. What are you going to do with that important industry of the United States? Are you going to have it stopped because the European Governments are at war? Why not let Heinz build some great warehouses and fill them up with his catsup and his piccalilli and his other toothsome preparations and have the Government issue certificates against them until the war blows over and normal conditions return, and have the certificates in the meantime to purchase labor and tinware and all that sort of thing, and go along successfully?

I am glad that apples have been mentioned, because we raise a good many apples in New England, and we are improving our varieties and our output. We send them mostly to Europe, but they will not go there this year, and I am afraid we can not warehouse them and keep them many years, yet I think we

ought at least to have the privilege of doing it during the life of this bill, which is to be two years at most.

But more serious than all that to a New England man is the fact that our textile manufacturers are straining every nerve to keep their help employed. One concern in my own State, employing 15,000 people, is hanging on by the finger tips, hoping that conditions will improve, determined to continue the employment of their working men and working women. There is danger that after a while they will have a surplus of their products, and they ought to have the privilege of warehousing them and having certificates issued against them, and getting money so that they may get along as well at least as the cotton men of the South.

There is a still further great industry of New England. I noticed somewhere that the feet of the soldiers of the German army are clad in such wretched boots that they are hampered in their operations on the battlefield. We can not get the splendid shoes that we make in New England into Germany now or into France or into England, but we are making them.

Our great factories are at work. They are having a hard time of it just now, and we would like very much to have the benefit of this bill. I may offer an amendment on that point, and, of course, I expect it will be agreed to, because everything else is being agreed to.

We would like very much to have the Government get back of our shoe shops and take care of the products of our shoe factories for the term of a couple of years and issue certificates against the boots and shoes that we make—the finest in the world—so that when the war is over the poor soldiers who survive may be supplied with New Hampshire boots and shoes.

Mr. President, I am more serious about this matter than perhaps I appear to be. I do not believe in this kind of legislation at all. As I said a moment ago, I think it is vicious in its tendencies. Everything is going to be brought in here during the course of the next few weeks on the ground that it is an emergency measure, because the armies of Europe are slaughtering each other by the hundreds of thousands in the most wicked war which the world has ever known or perhaps ever will know, and we are casting an anchor to windward to make money for our own people. Perhaps it is legitimate, but I do not think the Government ought to be dragged into this matter of taking care of the industries of any part of the country.

As suggested by the Senator from Washington, if the salmon of the waters in Washington, which produce, I believe, the finest salmon in the world, except those produced in Maine, are to be cared for, why should not the codfish of the New England waters be taken care of? I believe, however, that under our bad legislation Canada is getting most of them now, but those that are left to us ought to be looked after. If the Senators from Massachusetts neglect to offer an amendment taking care of the fish that has its effigy over the speaker's desk in the statehouse at Boston, they will be neglecting an opportunity that I think they will regret.

Mr. POINDEXTER. Mr. President——

Mr. GALLINGER. I yield to the Senator from Washington.

Mr. POINDEXTER. In this connection I call the Senator's attention to a circumstance in order to refresh his memory. He has no doubt noticed it already. The great French fishing fleet on the Newfoundland Banks has been called home as a part of the army reserve. So there will be a greater supply of codfish on account of the war than there has been heretofore.

Mr. GALLINGER. I am very glad to know that. It is important.

Mr. OVERMAN. Will the Senator yield to me?

Mr. GALLINGER. I always yield to the Senator from North Carolina.

Mr. OVERMAN. I wish to know if the money issued upon a certificate of storage of codfish would not be tainted.

Mr. GALLINGER. I do not see why more tainted than other issues from this administration.

Mr. President, I am more serious than I pretend to be. I may, at the proper time, offer the amendment I have suggested, that textile manufactures and boots and shoes shall be included in this long list of specialties that we are dealing in to-day, and that will help to put this omnibus bill in a better shape than it is.

Mr. CHILTON. I was going to ask the Senator, before he did that, to let me have a vote upon my amendment.

Mr. GALLINGER. If it is oil, whether it is Standard oil or any other kind, if there is an emergency——

Mr. CHILTON. No doubt there is.

Mr. MARTINE of New Jersey. Before the Senator presses that to a vote, will he permit me a word or two?

Mr. CHILTON. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. Mr. President, I feel very sadly over this matter. I felt that I had a monopoly as to apples, and that was largely my prerogative, but here I find the distinguished Senator from West Virginia and then the Senator from New Hampshire both put in a claim. I am the original and real genuine apple man, and I think it is very ungenerous that you should interfere with our apple industry and the products that come from our apples.

Mr. GALLINGER. Evidently the Senator forgets Adam.

Mr. MARTINE of New Jersey. But I have even seen that story questioned.

Mr. CHILTON. I never heard the Senator make that claim for the apple. I heard him make the claim about applejack.

Mr. MARTINE of New Jersey. Occasionally we eat apples, but every sensible man knows that the best of applejack is made from good apples. I feel that the gentlemen are trenching on my prerogative and my privilege. I do not think tar from North Carolina and various other products are in the same category or in the same class with salmon. My friend from Oregon [Mr. LANE] pressed salmon and I voted for salmon. I felt there was just as much reason for that as for other things that were being pressed by my friend from Georgia. Of course salmon is good food, and as I said is in an entirely different class, as I understand. Fish are rich in phosphorus and supply the brain. If I believed one-tenth part or one-hundredth part of what our Republicans have been telling me for the last 25 or 30 years, God knows we need brains, for the Republican party arrogates to itself all the brains. They said they had all the brains and hence we are in a miserable dilemma just now with a great demand for brains and all the problems arising from the war on our hands and all the questions confronting our administration. I know they never would say anything they did not believe for they are not that kind.

I feel that salmon is all right, and I favored salmon. I would like to add some things: Speer's Grape Juice, The Rising Sun, and Hinchcliffe's Beer. These are all products of the little State of New Jersey, and it does seem to me utterly cruel to leave them out.

Just now the question of salmon brings to my mind the question that was asked here Saturday, I think, by the distinguished Senator from Iowa. He asked the Senator from Oregon how he would know the grade of salmon in order to properly classify it. If the Senator had thought for a moment, with just one of the five senses that God has left us with you can easily detect whether salmon is first class or last class, or of no class at all.

This reminds me of a fish story that I must tell. It may be a little undignified, but we have heard nothing but fish for two or three days. Let me say I am in favor, now that the price of beef is going up, of making more than one fish day. Friday is not enough. Let us have two fish days each week, at least, and change the calendar so that we may have two Fridays on which to eat fish.

Now, let me tell the story: A man who lived on the coast of New Jersey had made a very great success as a fisherman. He used to go out and breast the tide and come back with his bark full of fish, and he would sell them. Finally, as years grew on him and he was burdened with age, more or less, and crippled, he could not row and pull the oar as he did. So he opened a nice little shop in a thrifty little town near the coast. He painted it up nicely and made it very respectable, and put up a glorious sign, "Fresh fish for sale here." Trade was slow. Finally he appealed to a friend in whom he had great confidence. He said, "Look at my stuff." The friend was a kind of an oracle to him. He said, "Come out and look at the front." He walked out into the middle of the street. He said, "Look at my sign." He had a 16-foot board with elegant, gilded letters, "Fresh fish for sale here." He asked, "What do you think of that?" His friend looked at him and said, "Joe, I hate to criticize, but you have too much in it." He asked, "How would you correct it?" "If I were you, I would just paint out 'fresh.' Fish is really the thing, anyway. You are not selling stale fish." So he crossed out "fresh." Then he came back the next day and fish were not selling any better, and he said, "What do you think of it now?" Said he, "I would cut out those words 'for sale.' Everybody knows you are selling fish. You do not give them away." He crossed those words out and it stood "Fish here." Finally, when he came to the last, he said to his friend, with a good deal of misgiving, "Now, what do you think of it?" "Lord, Joe," he said, "you have too much of those letters. I would cross out the word 'here.'" "What do you mean? I mean business. I am selling fish, and here is where I sell them, and how in the name of heaven will they know?" He said, "Anybody could tell that from the smell." [Laughter.] So I think my friend will be able to gauge salmon in the same way.

Mr. WEEKS. Mr. President, in the days of old Rameses that story had paresis.

Mr. MARTINE of New Jersey. The Senator ought to know, for he comes from a fish town.

Mr. WEEKS. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from West Virginia [Mr. CHILTON]. It will be read.

The SECRETARY. It is proposed to add as a new section:

SEC. —. That all the provisions hereof are extended to include warehouses for the storage of applies and peaches, and for tanks, tankage, and pipe lines for the storage of oil, together with the inspection, classification, and the issuance of receipts and certificates therefor to the same extent, so far as applicable, as the same are made applicable to warehouses for the storage and classification of cotton under such rules and regulations as the Secretary of Agriculture may prescribe.

Mr. SMITH of Georgia. Mr. President, with a good deal of care and labor a Representative from the House and I, together with the Secretary of Agriculture and experts from that department, prepared this bill. The bill, I believed when we prepared it, and believe now, has great merit.

I confess that it has been with more than ordinary pain that I have heard Senators present amendments intended to be trivial and make speeches intended to be humorous. All we ask from the Government is an appropriation of $50,000. That is the entire burden put upon the Government by this bill. Mr. President, there are 12 States which produce practically but one moneyed crop. The industries of those States depend largely upon the annual sale in the fall of that crop. The great bulk of the population—certainly those engaged in agriculture—depend upon that crop. Among them there are 2,000,000 negroes, who do not know how to do much else but to raise cotton.

That crop last year sold for a billion dollars. The portion of it which went abroad in the shape of lint cotton sold for $610,000,000, and saved our international trade balance. This large sum took care of our international balance and gave vigor and power to the entire commerce of the United States. But for the war in Europe the crop would be worth now a billion dollars.

Mr. President, is it entirely worthy of Senators when such a subject is presented to seek to treat it in a ludicrous manner? I confess that it has not been amusing to me, because I know it is a serious problem. The men who raise this crop work 8 months in the year to produce it, and then sell, according to the custom, in 60 days. They borrow nearly $500,000,000 in connection with the production of the crop, and 12 States rely upon this crop going upon the market at this period of the year to make the settlements for their liabilities built up during the year.

Now, what has happened? The greatest calamity that has come to these people in 40 years has been brought about in three weeks by the foreign war. You can not eat cotton. It is worthless to the man who produces it except to sell it. It is not like nearly all other agricultural products. It is not like foodstuffs. It is a remarkable crop in that you can store it for years and it is uninjured. It is not consumed by any animal after it is gathered. It is not injured by moths. It has a quality suited to storage and suited to continued preservation unequalled by any other agricultural product. Now, what has happened? Instead of being able to sell their 13,000,000 bales of cotton in the latter part of August, in September, October, and November, when their liabilities are maturing, they bring their cotton to the market and there is no market. Why? Two-thirds of this crop goes abroad. In Germany, in Belgium, in France, in England the mills consume it annually. War has closed them, and cotton, which to-day would be selling at 13 cents a pound, is practically without a market, and $500,000,000 of debt rests on the men who have produced the crop and stares them in the face and threatens them with ruin.

I say, Mr. President, I can not find language with which to praise a Senator who takes the floor to treat such a measure in a trivial manner. I consider that the course of Senators must have been due to thoughtlessness and the lack of appreciation of real conditions.

Now, what do we ask in this bill? There is no system through the South of universal or general classification of cotton. There has been no system of warehousing throughout the South. It has not been necessary. Never before in the history of this crop have those who produced it been confronted with over 8,000,000 bales of cotton, with no American market for it, and no mills that probably can spin for months.

All we ask is an appropriation of $50,000 from the Government to allow the Department of Agriculture, through its market division, through experts that it already has, the balance of the expense going as a charge to the people benefited, to inaugurate a system of cotton warehouses. Those men who have warehouses they desired licensed by the Secretary of Agriculture will receive from the Secretary a license and then be subject to the regulations of the Secretary of Agriculture, which, when complied with, would carry to the world a knowledge of the kind of cotton deposited and kind of warehousing used. This would give a value to the warehouse receipts which otherwise they would not have. That is all we ask.

The Senator from New Hampshire talks about taking care of New England. Mr. President, we have been buying protected products of New England for half a century, and the Government has taken care of New England. It has added to the price of the manufactured product by protecting it from foreign competition.

I shall not discuss that proposition now. I do not intend to be provoked into a debate upon that with the Senator from New Hampshire.

Mr. GALLINGER. Mr. President——

Mr. SMITH of Georgia. But I do wish to say I expected the modest request we make to appeal to the generous disposition of the Senator from New Hampshire.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. SMITH of Georgia. Yes.

Mr. GALLINGER. I have no disposition to debate it with the Senator either. I did not raise the question. The Senator might well add that the mills of New England are doing something to take care of the cotton from the South.

Mr. SMITH of Georgia. Yes; the New England mills are buying and using some of the cotton, and the cotton is taking care of the mills of New England. If we did not raise the cotton they would never have erected their mills or made their fortunes out of cotton. I am glad they have made them. I have no criticism upon that, and I am not complaining about the past system of taxation which enabled them to prosper. I desire to see them prosper.

But I submit to the Senator that the modest request of this bill has not been treated with the generosity that I think we had a right to expect. I do not believe that the speeches some of the Senators have made or the course some of the Senators have taken would have been pursued if they had really understood the situation.

I do not think any amendment ought to have been added to this bill. I think it ought to have been allowed to go through as it was, applicable to cotton alone. I wish to say to the Senator from Iowa that I offered an amendment providing that this act should not remain in force longer than nine months after the conclusion of a treaty of peace between Great Britain and Germany, and in no event longer than two years. It came as a suggestion from the Senator from Iowa in his remarks made last Saturday. So make this bill a temporary measure, and the entire sum that we ask or wish from the National Government is $50,000 that we may better classify our product when put in our own warehouses.

Mr. President, a large part of this money owed for raising the cotton crop is due outside the South. The merchants of New York, of Boston, and the Middle West hold much of the indebtedness. The foodstuffs used to make it were bought from the Middle West. The manufactured products were bought from the East and the West. The object of this bill is to furnish a more systematic plan of classifying cotton in warehouses and classifying the warehouses; that is all. The bulk of the expense must be carried by the people who receive the benefit. The plan of the bill looked toward the principal work of inspection being made by licensed inspectors, who obtain their fees not from the Government for doing the work but from the warehouse owners. Only a general supervision was left to the National Government. Yet when this small request is made on behalf of the people of 12 States, whose great product, upon which they absolutely depend, has been stricken down by a foreign war, Senators come in facetiously and load the bill down with amendments that do not in any sense stand in the same class with cotton and make it ludicrous. Is this generous, I wish to ask?

If Senators wish to kill the bill, let them vote to kill it. If they are not willing to concede this much to a people who are suffering as those people are suffering, let them vote against the bill. I do not deny their right to do so, but I do, Mr. President, enter my earnest request that they treat the subject seriously.

Mr. WHITE. Mr. President, I can add nothing to what the Senator from Georgia has said in his appeal to the broader view—the patriotic view—on this subject, but I want Senators for a moment to consider this matter from a selfish standpoint.

I ask them if they think it will benefit the Nation to see the South in bankruptcy? That is what it means. Unless this situation is taken care of the South will be in bankruptcy. Her people will be in want. I appeal to Senators and ask them if they think they will advance the general welfare by defeating this bill—by denying the South the relief this legislation will afford? Do you think for a moment, when the people of the South are impoverished and stricken down, it will advance the sale of your manufactured goods?

If the cotton of the South is not taken care of in this emergency, many of the negroes and the poorer white people of the South will have to go barefooted during the coming winter. Will that help your shoe market? If the South is stricken down for the want of the enactment of this legislation, her poor must go half clad through the winter. Will that help the New England mills? Consider that.

Now, I appeal to Senators from the West. You want a market for your grain, for your flour, for your meat. Do you expect to find it in the South, with the South lying stricken and prostrate in bankruptcy? Remember that we are your greatest customer; we are the customer at your very doors. You do not need to ship your grain and meat and flour across the sea in order to place these great products in our hands. We want them; we need them; but, Mr. President, in order that we may buy them we must have legislation to aid us in the present crisis to prevent bankruptcy in the South. I will appeal to the Senator from West Virginia and admonish him that the ore and apples of his State will find a market in the South if we have the money with which to purchase them; his coal will find a place for sale there; but the market for these products depends upon the question of whether we can save the South in this hour of her peril and her need.

Cotton is a great national crop, different from any other crop that is raised in the world. It stands alone; it can be treated and should be treated by itself, apart from all other agricultural productions. Its injury or destruction affects the prosperity of the entire Nation. No agricultural production sustains such intimate relation to all other interests of the country as it does. I again appeal to Senators, on selfish grounds, to help us in this hour of our need.

Mr. CHILTON. Mr. President, I confess I was more than surprised to hear the Senator from Georgia [Mr. SMITH] lecture the Senate, and especially those of us who from the start have shown so much interest in his plan for the relief of his section of the country. I have never uttered, except in the greatest candor and seriousness, a word upon this subject. I made no fun of his bill; I made no fun of the amendment of any Senator. I am in good faith in sympathy with the Senator's bill. I appreciate that it is something that is needed in the southern section of the country, and if I had not known the facts I would have taken the statements made by the Senators from that section as conveying the truth and as portraying absolutely the situation. It is very strange when we treat those Senators in that way that the Senator from Georgia is not willing, as are other Senators, who are serving here with the same desire to do right and under the same conscientious regard for their duties as Senators, to take my word about the situation in my State as we take their word about the situation in the South. It is strange that the Senator should make an address in the Senate and lecture me because of an amendment which I choose to offer to a pending measure—a bill for which I intend to vote, a bill for which I shall vote if my amendment is not put on it, a bill about which I will help him in any way, and stay here night or day to help him pass, whether he agrees with me as to the wisdom of my amendment or not—I say it is very strange that the Senator should lecture me about that, and in doing so make the statement that the situation as to oil is different from that of cotton.

It simply shows that the Senator from Georgia has not gone to the trouble of studying the oil question, as I have gone to the trouble of studying the cotton question. He does not know that there is not a dollar's worth of oil sold as oil in a barrel or in bulk; it is sold by certificate, and the storage device is a tank or a pipe line.

In considering the purposes of this bill, can anybody tell me the distinction between oil and cotton? Oil does not deteriorate much; and if it should, there is an easy way to estimate the amount of its deterioration. Oil is turned into a pipe line or into a tank, and you sell it on the certificate from the common carrier. Wherein, therefore, does the Senator's situation differ from mine? How shall he complain of me when it is raining and I shall say, "Stretch the umbrella just a little over on my side"?

Mr. President, I do not know whether or not the oil people of West Virginia will take advantage of this privilege if it shall be extended to them by Congress; I have not had time to consult with them. I noted, however, that the Senator from Georgia, without objection, allowed amendments to be adopted, including flaxseed, corn, wheat, oats, barley, and all such products. He did not accuse the Senator presenting that amendment of lack of seriousness in presenting that situation to the Senate. Certainly the oil situation more nearly resembles the cotton situation than does the situation of flaxseed, corn, wheat, and other grains.

Mr. President, talking a little more to the point, I wish to say to the Senator that if he desires this matter to rest upon his statement, all right; I can stand for it. I want to repeat to him, however, that I am for his bill; I am for it because I think it is right; I am for it because I recognize a necessity for it; but I wish also to say to him that, standing absolutely upon all fours with his situation, except that it is probably worse and affects more people, is the oil situation in the States of West Virginia, Ohio, Pennsylvania, Indiana, Illinois, and Kentucky.

I am as much surprised as is the Senator from Georgia that Senators will rise here and make a comparison between the lumber business and the manufacturing business, of boots and shoes, for instance, and Heinz's pickles, or anything of that kind, as standing upon all fours with the serious situation that affects the farmers and the producers of oil and products of that kind. If a man is a manufacturer of shoes he can get credit upon them; if he has lumber he can get credit upon it in bulk; but in the oil States a farmer has, perhaps, leased out his farm to an oil company which is probably producing 100 barrels of oil a day; the farmer gets one-eighth of it as his return. All he gets for that is a certificate of how much oil he has in a pipe line, which is the only way there is for transporting it. Probably there will be 50 men who will get certificates for the other seven-eighths.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. CHILTON. Let me finish this statement. That is true as to hundreds and thousands of little leases and of hundreds and thousands of small producers of oil. Now I yield to the Senator from Idaho.

Mr. BORAH. I want to ask the Senator from West Virginia what is the cause of the oil crises? Is it superinduced by the war situation in Europe, or is it by reason of an industrial condition in this country?

Mr. CHILTON. It is produced by the conditions growing out of the European war. That is, to a great——

Mr. BORAH. How does that bring it about?

Mr. CHILTON. I will answer the Senator from Idaho in this way—and I answer the Senator the way I do, because that is the information given to me by the pipe-line people as I see it in the public prints: All oil producers understand that what is known as the white-sand oil of the east is almost entirely a foreign shipment oil, and that owing to the fact that European countries are at war and that the transportation facilities have been so interfered with, the pipe lines can not dispose of this oil. There is a limit to the capacity of their tanks, and there is also a limit to the capacity of the pipe lines. That situation probably will not be relieved by this bill, but I can imagine a way in which they could build tanks so that this oil could be stored in such tanks and the certificates would be salable. I do not know that that will be practicable, but there is a possibility that it may be.

Mr. BORAH. Has the price of oil gone down as has the price of cotton, of which the Senator from Georgia [Mr. SMITH] has spoken?

Mr. CHILTON. The price of oil, as I said to the Senate, began to go down probably 60 days ago. This oil was then selling at $2.50 a barrel, and it has now gone down to $1.50 a barrel. It is stated that the reason for that is the great production of oil in Oklahoma. It is claimed that they have a process now by which the same amount of gasoline can be extracted from the Oklahoma oil as can be extracted from the eastern oil. I doubt this claim, but I want to be fair and do not desire nor is there need to go beyond the facts and the claims of both sides.

Mr. BORAH. I had understood that the oil situation was one arising out of conditions not wholly incident to the unfortunate conditions in Europe; but I want to ask the Senator a question. I sympathize entirely with the situation as presented by the Senator from Georgia with reference to the condition of cotton; I think I see quite a distinction between the situation with reference to the South and the production of cotton and many of the other products which Senators are seeking to fasten upon this bill; but I presume neither the Senator from Georgia nor the Senator from West Virginia is oblivious of the

fact that we are establishing a precedent which will be applicable in any industrial crisis or situation which may hereafter arise in this country with reference to any industry.

In the West even now we are unable to get rid of our lumber by reason of conditions which we tried, although, unfortunately, we did not succeed very well, to present to the Senate the other day; it sometimes happens with reference to our wheat and our wool that the market is such that the price will not pay for the shipping of it. There is no difference in that situation and this situation except as to the cause which produces it. The principle, however, which we are establishing here is one which will be of just as much importance after the war in Europe has ceased as it is now. I presume the Senator is not oblivious of that fact?

Mr. CHILTON. I do not agree with the Senator from Idaho in his conclusions. What the Senator says, so far as the States affected are concerned, is no doubt a fact. But the world is now at war. The present situation is one due to war. War excuses almost any expedient.

Mr. BORAH. We are doing a great many things, and perhaps necessarily doing them, by reason of the war situation; but the result of our action and of that which is to flow from our action will be felt in this country long after the war has closed.

Mr. CHILTON. Mr. President, I was about to say, when interrupted a moment ago, that I want the Senate to understand that the amendment I have offered affects thousands and ten of thousands of small holders and small producers of oil, and extends over a great area, as I have said, throughout a great part of the States of Pennsylvania, West Virginia, Ohio, Indiana, Illinois, and a good part of Kentucky. This is a unique product, one which is affected, if our information is correct, peculiarly by the war conditions. I do not agree with the Senator that we should not do things in time of war that we do not countenance in times of peace; but this situation never before occurred in the history of the world. Most of the civilized world is now at war. The nations at war have been our customers.

Therefore I say we have the foreign trade of the United States absolutely stopped without notice, and any situation growing out of that condition, such as the piling up in this country of a large surplus of goods or commodities ordinarily sold in foreign markets, we as a people should meet, just as we would in times of war meet a lack of currency by issuing greenbacks; or as in time of war we would meet any other emergency. We should be liberal enough and broad enough to devise ways and means to meet that kind of a situation. The President is doing his work nobly. Congress should be eager to provide effective means to lessen the severity of the terrible blow to commerce.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. CHILTON. I do.

Mr. BORAH. Mr. President, is it not a fact that the combination controlling the production and refining of oil has much to do with the price of the oil to the small producers, in whom the Senator is justly interested?

Mr. CHILTON. I will say to the Senator that as to that a great many people in West Virginia have the same opinion as has the public generally, to wit, that finally all oil, or practically all of it, goes to one place in the United States. On the other hand, others claim that there really is competition. The latter maintain that there are a lot of independent concerns engaged in the oil business, and that the percentage of oil which goes to the combination has been materially reduced since the decision of the Supreme Court. However, as to that I have no facts; but I want to say for the Standard Oil Co. that in ordinary times it handles the oil expeditiously; it handles it conveniently; and many of the producers are satisfied with it if they are paid a sufficient price. I do not know anything about the inside workings of the Standard; I have no information about it; but I have introduced a resolution here for the purpose of securing the facts.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Massachusetts?

Mr. CHILTON. I yield to the Senator.

Mr. WEEKS. I wish to suggest to the Senator from West Virginia that the delay in foreign shipments has been quite as much due to the question of foreign exchange as it has to shipping facilities. It is true, of course, that during the first few weeks in August there was practical stagnation in shipments. We passed a bill here the other day to purchase silver bullion. The reason we passed it was because the smelter men were loaded down with the products of the smelter. They had been advancing 50 cents an ounce on silver and were shipping the bullion abroad, but the bills which they drew against it came back unpaid, and, therefore, having ten or twelve million dollars invested in that kind of a product, they did not have available resources to continue to advance 50 cents an ounce, and notified the producers that they would only advance 25 cents an ounce for silver. The Senator from West Virginia admits that additional pipe lines and additional containers of oil must be constructed, if his amendment should be adopted.

Mr. CHILTON. No.

Mr. WEEKS. Well, the Senator suggested it; at any rate I will say he suggested it.

Mr. CHILTON. I say that may be the fact; I do not know.

Mr. WEEKS. Let me say to the Senator that, in my judgment, inside of 60 days the price of oil will be as high as it has been in recent times, because the great competitive oil-producing country is Russia, and we will obtain some of the markets of Russia, as well as holding our own.

It is not true that to-day we are not shipping products abroad. We shipped abroad 7,000,000 bushels of grain last week. There are now 18 steamers carrying passengers bound for our Atlantic ports from European ports. The trans-Atlantic trade has been practically restored, so far as most conditions are concerned, and I think the Senator will find that inside of 30 days normal conditions will obtain in the oil industry.

Mr. CHILTON. The bearer of good news is always welcome; I welcome what the Senator has said, and it will be a great consolation to take it back to my people. I feel reasonably sure that the Senator is correct in the main.

As I have said, Mr. President, I do not know that the oil producers will take advantage of the provision which I have proposed as an amendment to this bill, but it is a suggestion which has come to me from some people interested in the oil industry, who have asked that we do something for them in a great emergency.

Bear in mind that the only way a man can produce oil is by pumping it from the ground into a tank and turning it into a pipe line. He can only hold in the tank next to his well two or three hundred barrels, speaking generally. I believe the average tank holds about 250 barrels. The pipe-line people will now only take 25 per cent of it. The result is that the oil wells are likely to be destroyed in a very short while because the paraffin that is in the oil is likely to cake in the interstices in the rock through which the oil comes, and may absolutely destroy the well.

Mr. BORAH. Mr. President, I will ask the Senator who owns the main pipe lines?

Mr. CHILTON. I do not know.

Mr. BORAH. Does not the Standard Oil Co. own them?

Mr. CHILTON. I understand one of them belongs to the Eureka Pipe Line Co., and that in some sections the pipe lines belong to the Pure Oil Co., of Philadelphia. I understand that is an independent company; but its pipe line does come immediately into my section of the State of West Virginia, although other fields have the benefit of it. In some oil fields—I think, in Indiana, Ohio, and Illinois—they have the benefit of the Eureka pipe lines and also of the Pure Oil Co.'s lines. That is my information. In West Virginia we have only one, which is the one that formerly belonged to the Standard Oil Co., and which the oil people suppose yet belongs to somebody connected with that company.

Mr. BORAH. Is that one of the lines which belonged to the Standard Oil Co. before the dissolution decree?

Mr. CHILTON. Oh, yes.

Mr. BORAH. Does anyone suppose that it does not belong to them yet? Does not the Senator believe from his investigations that, as a matter of fact, it is still under their control?

Mr. CHILTON. Mr. President, I have not investigated the matter, but I believe it is; I believe the same people who own the Standard Oil Co. own the pipe-line company. I believe that, and I think the facts will justify that belief; but I am not prepared to say that it is the same company. What I might prove in a lawsuit and what I might think as a private citizen might be different. I only know that it is claimed that they have dissolved in accordance with the decree of the Supreme Court. I do not think they have actually dissolved in the way in which the people think a dissolution should be accomplished, because there is still the vice of common ownership of stock. But my resolution for an investigation ought to develop the facts, and until the facts are known it does not become me to say that the Supreme Court was wrong. Besides, my people want relief, and do not care to take any roundabout way to get it. This is not the time and place to make charges, but it is the time to help those entitled to help.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Washington?

Mr. CHILTON. I yield to the Senator.

Mr. POINDEXTER. The Senator has made a very clear explanation of the situation in regard to oil. What I should like to know is the relation between oil and peaches.

Mr. CHILTON. Of course, Mr. President, I can not make as clear a case for peaches and apples as I can for oil, for the reason that the plan of storing oil and issuing certificates thereon has been tried; but it has not been tried as to apples and peaches. I can say, however, that I can make as good a case for peaches and apples as can be made for canned salmon, and I can make as good a case for them as can be made for wheat and corn and anything else of that character.

The great apple and peach crop in my State, Mr. President, is in pretty much the same condition that the oil business is in. The apples and peaches are owned largely by small farmers and their principal market is in Europe. Now they find no buyers, even at this time of the year, and they do not know whether to pack their crop in one kind of a basket for a certain market or put in into barrels for another market or box it for another market. They have been relying upon the European market. The war makes the situation the same with respect to those products as it does with respect to other products.

There is this to be said about my amendment. If we adopt such a provision as I seek to have incorporated in this bill it can not hurt the Government; it can not hurt anybody else; and it might be the means in a great emergency of saving from disaster a lot of people who can not afford to lose their crops. If they can warehouse their crops and have certificates issued against them in the warehouse, these certificates might be used as a basis of credit.

Mr. BRISTOW. Mr. President——

Mr. CHILTON. I yield to the Senator.

Mr. BRISTOW. I do not think that upon reflection the Senator will say that the question of storing peaches in warehouses and issuing certificates as to their value will stand upon the same basis as a similar operation in connection with wheat.

Mr. CHILTON. It stands on the same basis; there is only a difference of degree. Of course, you might not rely upon a peach certificate as you would on a wheat certificate, because the former is more perishable.

Mr. BRISTOW. The Senator knows that peaches are perishable and that it is not practical to handle them as it is to handle wheat or cotton.

Mr. CHILTON. I know that wheat is perishable, and I know that corn is perishable.

Mr. BRISTOW. The Senator knows that wheat is one of the staples of life, that there is always a market for it at some price, that it can be put on the market any day and command cash, that it does not spoil, that it will last for centuries, and that it is one of the great products of the American people. We export millions of bushels of wheat. I feel a good deal like the Senator from Georgia feels when it comes to asking that peaches, which may not last probably for longer than 10 days, shall be put on the same basis in a bill like this with wheat and cotton and great staples which are exported and bring to the people of the United States their great wealth.

Mr. CHILTON. I knew that before the discussion was over the Senator from Kansas would lecture somebody. I do not mind his lecturing me, if he wants to do so, but I still have the same idea about the matter. He can proceed with his lecture now or at any other time, as he sees fit, but I shall still entertain my own opinion about it.

Mr. POINDEXTER. Mr. President——

Mr. CHILTON. I yield to the Senator from Washington.

Mr. POINDEXTER. In view of the fact that we will be called to vote on the proposition of including peaches and apples in this bill, and in view of the further fact that the State which I in part represent is interested in both peaches and apples, I should like to inquire of the Senator from West Virginia what sort of a standard the Government would fix as to peaches and apples in issuing certificates? As to cotton, I think that that commodity stands in a situation different from that of any other product, for various reasons which it is not necessary to discuss here.

Mr. CHILTON. There are about 17 different grades of cotton, are there not?

Mr. POINDEXTER. I am not particularly informed as to that; but I understand that the grading of cotton is a very intricate matter, calling for expert knowledge, and that the bill is very vague as to the basis on which cotton shall be graded. It leaves it, in fact, to the Secretary of Agriculture to establish standards and rules and regulations and to appoint so-called experts, who, under the rules and regulations, shall fix grades of cotton. If the Senators representing the great cotton-producing States are satisfied with that arrangement, I am willing to accept their judgment upon it.

Even though we should include in this bill apples—and apples occupy quite a different situation from that occupied by peaches—and should also include peaches, I would not be willing to leave to the Secretary of Agriculture the matter of grading, of establishing a first grade, a second grade, and a third grade, and of prescribing the kind of boxes in which they shall be packed, or whether they shall be packed in boxes or in barrels.

If the Senator will permit me, I want to say in this connection that there has been quite a controversy before several committees of the House and the Senate in connection with bills which have been pending for several years as to standard apple boxes and as to the grades of apples. One of the objections which the apple growers of the Pacific Northwest have had to some of those bills was, in the first place, that the No. 1 grade as proposed to be established by the law was a No. 3 grade under the standards to which we are accustomed in the Northwest, and an injury would be worked upon us in that regard if any such standard should be established under this bill. If it should be passed, it will be subject to the same objection that our apple growers had to the other bills to which I have referred.

The same objection applies as to the receptacles in which apples are packed. In New York and probably in West Virginia the ordinary receptacle is a barrel. We do not use barrels on the Pacific coast. In Colorado they use a box of a certain size which they have adopted, while on the Pacific coast they use a box of another size. All such matters would be subject to regulation by an unknown authority without any limitation in the statute if these commodities should be included in this bill under the Senator's amendment and would constitute objections to the amendment.

Mr. CHILTON. Mr. President, I wish to say to the Senator, as to the peach crop, he probably does not realize that we have one peach orchard in West Virginia where the peaches are loaded right out of the orchard into the cars, the railroad tracks being laid into the orchard. It is an immense orchard, probably one of the largest peach orchards, if not the largest peach orchard, in this country. The peach business is an extensive one.

I do not want to go into the details of grading and inspecting fruit, but there is nothing in the bill which would compel anybody to take a certificate of cotton, and there is nothing in the amendment I have offered requiring anybody to take the Government's certificate of apples and peaches. There is no provision in the bill to prevent forging a certificate or duplicating it. There is simply a way here by which I thought it would be possible to let these people get credit upon an article which may not be salable on account of war. Now, when a man buys a cotton certificate, he knows that he is getting a cotton certificate, and he takes that chance. He knows it with an apple certificate or a wheat certificate or anything else he may get. We know that the oil certificate is absolutely reliable, and that the principal part of the oil business is conducted upon the storage of oil in tanks or in pipe lines, and the sale of it made by certificates of oil in the possession of the common carrier, the pipe lines.

As I say, just as strong a case can be made here for apples and peaches as can be made for some of these other things. I want to say again that I resent the insinuation or the charge that I am trifling with the Senate. I want to reiterate my statement that I am heartily in favor of the bill offered by the Senator from Georgia, and I want to relieve the cotton people. I am surprised that he does not feel the same generous spirit toward West Virginia that she feels toward the South. I wish the Senator could go with me to the apple and peach orchards of West Virginia and see there the intelligent, painstaking horticulturists demonstrating that the home of the apple and the peach is in West Virginia. It takes years to bring in an orchard. During these long tedious years the producer must make large expenditures for fertilizers and disinfectants. There is no return till the tree matures and bears, but the work on the young orchard must be done every year. It is now about the time of year when the fruit buyers come to my State, but owing to the fact that so much of our fruit, and especially that produced in the eastern Panhandle, is shipped to Europe, our orchard people fear that this war will fall heavily upon them. My plan may be impractical. No apple or peach raiser has asked me to do this. But I can see no reason why the opportunity to store apples and peaches and issue certificates thereon should shock anyone who has voted to do the same thing for flax, oats, wheat, and other grain.

Mr. BRISTOW. Mr. President, I should like to suggest to the Senator from West Virginia that I can see a great deal of force in the Senator's argument as far as oil is concerned, but I can not vote for his amendment if it includes peaches and apples, because I believe it is utterly impracticable. If he will cut out the peaches and apples and will stand on the oil, I should be disposed to support his amendment.

Mr. MARTINE of New Jersey. Mr. President, I wish here and now to disavow any part of unkindness or ungenerous sentiment toward the people of the South or toward my friend the distinguished Senator from Georgia. I realize that I, perhaps more or as much as anyone else, was the one to whom the shafts of his eloquence were directed. I did make some jest and possibly apology for satire on the bill proposed by the Senator.

So far as desiring to aid the South is concerned, great God! there is no man in this universe who feels more kindly, more sympathetic, and more generous toward the South than do I. Some of my brightest and happiest days were spent in the sunny South. I was a leaner to your cause. I say to you men of the South—the glorious, beautiful, sunny South—I love it. I love the stalwart men; I love the generous hearts and the impulses that prompt your action; I love and admire, as a man can, your glorious and beautiful women. I say to you, far be it from me to say unjust or unpleasant things of the South. I was not contending against the people of the South, but I was contending against a policy which I think dangerous and disastrous.

That is all there was in my jest or ridicule; and, after all, I do not think it is susceptible to such severe criticism when I suggest a product that is a benefit to mankind, in contrast to your tobacco, which was put in the bill with no particular objection from the distinguished Senator. But if this thing can be carried out this far, why may it not be carried farther? Why may it not, as I say, extend to corn and wheat? As a Senator from New Jersey, whose life since early boyhood, until the past few years, has been that of a farmer, why should not I stand and press on the protection of my products with the same earnestness that the Senator from Georgia presses his tobacco or his cotton?

I was only questioning your policy. I feel that my heart is as big and as generous and as prompt in kindly impulses toward my fellow men as that of any other man in this Chamber or elsewhere; but why may not I adopt the same course?

We are rich in other things beyond those of which I spoke. We have a clay marvelous in character, clay that is shipped abroad to enter into the china and pottery ware of the world. Trenton, Woodbridge, and other parts of my State are manufacturing pottery from that clay. We, with you, are stifled to-day. Our workmen are idle. They say it is because of the war and the fact that they can not ship their product. I have received letters and telegrams from men saying:

In heaven's name, what shall we do? What can you do for us?

We have in Orange, N. J., a veritable hive of hat making. We make hats almost for the world. Myriads of them are turned out to-day, or have been in the past. Men who worked at the boiler, and women at the finer work of trimming hats, are idle to-day. I received a letter from a woman who is the head of the Young Women's Christian Association over there, saying:

Senator, we appeal to you to use your generous efforts to aid us.

So I ask, Mr. President, why may not I, with the same lofty patriotism, with the same hope, aim, and ambition to advance the well-being of my fellow men, press for the hat industry and the clay industry of New Jersey?

My fear is, sir—and I say it kindly—that if this policy is carried out to its finis it will prove a dangerous and disastrous policy, not only to our Commonwealth but to our country. Hence I shall vote against it. I voted for these various amendments because I felt there was as much reason for the amendment of the Senator from Oregon as there was for that of the Senator from Georgia, and as much reason for the amendment of the Senator from West Virginia as there was for that of the Senator from Alabama. But because I hope for the well-being, the blessing, and the general perpetuity of this glorious land, and love liberty and this splendid Government, I oppose your plan—not for spite, not for selfish glory, but for the well-being of the country.

Mr. GALLINGER. Mr. President, I have been somewhat surprised that the amiable and charming Senator from New Jersey, and the equally amiable Senator from West Virginia, got the impression that the Senator from Georgia had any reference to them in his caustic discussion of this question. I perfectly understood whom the Senator from Georgia meant, and particularly when he, as I think inadvertently and unfortunately, made allusion to legislation on another important matter which affected the section of the country from which I come. I am not laboring under any misapprehension as to whom the Senator meant.

Mr. SMITH of Georgia. Mr. President, I wish to say to the Senator that I certainly was not thinking of him any more than anyone else. He is mistaken about that. If I was caustic or if I was extreme, it was entirely unintentional, and due to the very deep feeling I have about this measure, and the intense conviction that so small a thing might do so much good where so much danger is threatening.

Mr. CHILTON. Mr. President, I want to say to the Senator further, if he will permit me, that I did not say what I did until I knew perfectly well that the Senator meant me as much as he did the Senator from New Hampshire.

Mr. SMITH of Georgia. I did not think the Senator from West Virginia was serious about his amendment until he said he was.

Mr. GALLINGER. Then, I am ready to have the other two Senators included in the list; and we three will bear the odium, whatever it may be, of the criticisms of the Senator from Georgia, who I know is always kind, and who is earnest in the advocacy of any cause in which he believes.

Mr. CHILTON. I could have said that about half an hour ago. I do not believe I can say it now.

Mr. GALLINGER. Mr. President, I am not a humorist. A great many times during the past four months I have wished that I had the humor of the late Sunset Cox, or Adam Bede, or the late Member of the other House, Mr. Cushman, of Washington. When we have been laboring here, perspiring and worrying and wondering and calling the roll, occupying an hour to get a quorum, I have wished that I might be able to make a humorous speech after the quorum had been secured. As I say, I am not a humorist, and I do not intend to undertake to enter that field, because I know I would make a sorry failure of it if I did; and yet it is an old maxim, and one that we can all accept, that—

A little nonsense now and then
Is relished by the wisest men.

If I uttered any nonsense, I am sorry the Senator from Georgia was not wise enough to appreciate the significance of it, or the meaning that I intended.

In speaking of the lumber of Puget Sound, I was entirely serious; and, if the representations that have been made here are accurate, I really think the Senators from that State might well ask for the same kind of relief that is being asked for the cotton of the South. It is not, of course, in such an alarming condition, but it is a condition that nevertheless must give some anxiety to the people of that part of the country.

I may have descended to levity, perhaps unintentionally, in suggesting certain other things. I do not indulge in levity when I say that I believe the manufacturers of this country have just as good a right, when their industries are prostrate and their products not marketable in the other nations of the world, to ask that the Government shall get back of them and help them out by permitting them to have certificates issued against the products of their mills and factories as the cotton growers of the South or the farmers of any other section of the country. I may be wrong about that; but I will assure my friend the Senator from Georgia that I always endeavor to treat seriously every question that is before this body. I have been hoping that these emergency measures would end sometime, because I expect some of these days to have a Senator introduce a bill or call up a report to remove the charge of desertion from some soldier, and say it is an emergency measure. It is becoming common for us to say that. I have heard it said about some measures not much more important than a measure of the kind I have suggested.

I trust that the bill, if passed, will bring the desired relief.

Mr. SMITH of Georgia. Mr. President, I do not believe it will bring relief at all. It will help, though, in the very serious situation that confronts us, and I think it will help substantially, and much beyond the nominal cost involved.

Mr. GALLINGER. I was about to say that in the case of a section of the country that has made such marvelous progress in recovering from the disasters of a terrible war—and some of us have a recollection of what that meant—I certainly should not feel like standing in the way of any reasonable relief that can be secured. At the same time I feel we are getting too much into the habit of feeling that it does not make much difference what happens to the American people; the Government of the United States will take care of them. It is getting to be a habit that if there is financial trouble, or transportation trouble, or manufacturing trouble, or almost any other type of

trouble that overtakes a section of our country, we ought to appeal to the Federal Government to come to our relief and help us out, destroying, as I think it is calculated to do, individual enterprise, ambition, and initiative.

So, as a general thing, I do not take kindly to that sort of legislation; but I have said all I care to say. I wish to assure my good friend the Senator from Georgia, whose amiability and good nature and courtesy largely come from the fact that he can trace his lineage back to New Hampshire, that I did not mean in any way to ridicule this matter, or to undertake to defeat it by any methods that are not creditable.

Mr. NELSON. Mr. President, in order to promote the passage of this bill I have so far avoided saying anything; and I would not now take up the time of the Senate except to express my views on this question.

I am not here either to pass compliments or to make apologies. To me this cotton bill in its original form seemed a true emergency measure. What were the conditions? The southern people have raised an enormous cotton crop. A large share of that crop has to be marketed abroad. The chief markets are in the countries where war is now prevailing—Germany, Belgium, France, Holland, and some of the neutral countries. There is no market for that cotton at present, and the cotton farmers who have raised it need money in order to subsist. They can get the money only by borrowing it on their cotton; and it is necessary to make some provision whereby cotton paper, so to speak—certificates relating to cotton—shall have a bankable value, so that the people can raise money.

The exigency was so great that it seemed to me there was much more necessity for passing a bill of that sort than the war-risk insurance bill; but I was very sorry to see these other matters injected into it. I do not think either tobacco or naval stores should go in the same bill, nor wheat, nor canned salmon, nor any of these products.

Wheat, corn, oats, canned salmon, apples, and peaches are food products. Europe has to have them, and there will be an instant demand, war or no war. All that remains to find an avenue and a market for our goods is to open transportation across the Atlantic. Fortunately, the embargo that existed immediately following the declaration of war has been to a large extent removed, and to-day there are being shipped abroad from this country millions of bushels of wheat, corn, and other products.

There is this difference between grain and cotton: A grain farmer in my part of the country—and it is so to-day—could always, if he wanted money, put a load of wheat in his wagon and go to the elevator and get cash for it. A cotton farmer in this contingency can not do it, unless he can borrow on his bale of cotton. The men can not furnish the capital necessary for it.

Now, I made no objection to the amendment relating to grain inspection. I made no objection for this reason: In the first place I regarded it as of no practical value. In the next place it did not interfere with our grain-inspection system. We have in the grain States what you men in the cotton States have not—a system of elevators and warehouses controlled by the State. We have such a system in Minnesota. Those elevators and warehouses are licensed. They are controlled by the State. They are under bond, and they are required to insure the contents of the warehouses and elevators for the benefit of the holders of the tickets. During the last 25 years there never has been a time when our people—farmers, merchants, and everybody else—could not go to any bank and borrow money on those wheat receipts and wheat certificates. In fact, they have been regarded as the very best of security, and men could borrow at a lower rate of interest on that kind of paper than on almost any other kind of paper.

There will be no trouble with us in the Northwest. Our wheat will be in demand. The wheat crop in the Northwest this year is a light crop, not much more than half a crop, on account of the black rust and the blight and the hot weather. We will have a market for it, and there will be no trouble about raising money.

It is not so with the people of the South. Therefore, while I have made no opposition to these several amendments, except that I did vote against the canned-salmon amendment, and I intend to vote against the amendment of the Senator from West Virginia [Mr. CHILTON], and I made no objection to the amendment relating to grain, because I deemed it entirely unnecessary, yet I think in all reason, if we want to enact a pure, naked emergency measure, we ought to confine it to cotton, and cotton alone, because it is only intended to live for nine months after the declaration of peace, or, at the utmost, for two years.

However that may be, I trust the bill will pass, even with these bad amendments attached to it. I shall vote for it, because I realize that the cotton planters of the South need this above everything else. I hope some of these objectionable matters may be eliminated from it in conference; but whether they are eliminated or not, in view of the great importance of relief for the cotton planters, I feel it to be my duty to take the poison together with the good things in the bill.

Mr. WEEKS. Mr. President, will the Senator yield for a question?

Mr. NELSON. Certainly.

Mr. WEEKS. The Senator suggests that the passage of this bill is vitally needed. I noticed in the papers yesterday a statement made by Mr. Festus J. Wade, president of a large trust company in St. Louis, speaking for the bankers of St. Louis, to the effect that it was unnecessary for the Government to make any provision for financing the cotton crop, because the bankers of St. Louis, through their associates, had made ample provision for it. I desire to ask the Senator if he knows anything about that and if that is true?

Mr. NELSON. I know nothing about it. I saw the statement in the newspapers, but to my mind it is utterly impossible. I do not think all the banks in St. Louis or in the regional reserve bank at St. Louis could command money enough to finance the cotton crop of the South. It would take over a billion dollars to handle that crop at the present time. When bankers come in and say that, they say it in a spirit of selfishness, because they do not like to have the Government interfere with their banking arrangements. We all know, when it comes to that matter, that the bankers are as selfish a lot of people as there are anywhere in the community, and, of course, they realize that if the Government turns in and helps part of their mission will be gone.

Mr. WEEKS. Of course the Senator will recognize the fact that the issuance of certificates does not obviate the necessity for the banks to advance money. It is simply advancing it on a different form of paper. The Government does not advance any money.

Mr. NELSON. I want to say to the Senator that it depends a good deal on the form and the character of the certificate as to whether or not money can be obtained on it. The object of this legislation is to give the certificate for cotton such a value that good banks all over the country will be ready to utilize it and give credit on it.

There is one feature of the bill that I think it would strengthen it to amend so as to make it analogous to our grain-inspection law in Minnesota, and that is to require these warehouses that obtain licenses and act under this law, in addition to giving bonds, to insure the cotton for the benefit of the holders of the receipts. I should be very glad to see that provision inserted in the bill, and I think it would greatly strengthen the certificates.

Mr. President, while it is all very well in normal times to stand upon high constitutional principles and say that we ought not to aid private parties, in all great emergencies we have to come to the relief of people. War and the exigencies of war bring to us duties and burdens that are not incident to peace. For years I have heard the banks criticize the greenback dollar and claim that it was only a paper dollar, a promissory note, and that we ought to get it out of circulation as soon as we could and get on a gold basis. Yet in an emergency who are the quickest to come here and ask us to allow them to issue millions of dollars of emergency currency under the Aldrich-Vreeland bill? These worshipers of gold in times of peace, who warn us against using any other basis for our circulation than gold, when an emergency arises are as ready to drop gold as a child is to drop a live coal that it has in its hand.

We passed the other day an emergency measure to increase our shipping—a most beneficent law. It is an entering wedge, and I hope it will lead to the acquisition by the United States of a merchant marine that will plow the seas and control our commerce in war and in peace as it did in the days before the Civil War and as the New England clipper ships did in the olden times.

Mr. GALLINGER. But, Mr. President, if the Senator will permit me, does the Senator seriously believe that the legislation we have passed is going to do very much in that direction?

Mr. NELSON. I do. I have faith in that legislation. I know how the Senator feels. He feels that no ship is fit to navigate the ocean with the American flag on it unless it is built in a New England shipyard.

Mr. GALLINGER. Oh, no, Mr. President. That is not my attitude at all. I have no interest in the New England shipyards. There is not one in my State.

Mr. NELSON. I did not refer to the Senator's State. I said in a New England shipyard.

Mr. GALLINGER. It is a rather ungenerous suggestion. That is not my attitude at all. I voted for that emergency legislation——

Mr. NELSON. I know the Senator did.

Mr. GALLINGER. And I hope some good will come out of it; but that it will be the basis for a real rehabilitation of the American merchant marine I confess I can not and do not believe.

Mr. NELSON. We have made a beginning. We have to learn our A B C's before we do anything else. That is a beginning.

Mr. GALLINGER. Yes; but sometimes when a child learns its A B C's you never can teach it anything beyond that. I have seen such instances.

Mr. NELSON. Well, those children are so saturated with certain isms that they never can get further under any circumstances.

We supplemented that legislation by war-risk insurance. Some criticized that as being of a paternalistic character. We did that, however. In doing that we followed in the footsteps of other nations. England has issued its war-risk insurance. France has issued its war-risk insurance, and the other countries have done the same thing. Even little Norway, with its merchant marine, the fourth in the merchant marines of the world, has issued its war-risk insurance. They are all doing just what we have been doing; and in time of war we can not go back and stand upon the high and lofty principles that we do in time of peace. We must meet the emergency, because our Government is established for the welfare of the American people and not for mere academic principles.

Mr. FALL. Mr. President, I have been in favor of this bill because I believe, as has been said by the Senator from Minnesota [Mr. NELSON], that it was practically necessary emergency legislation. I believe that the small cotton man, the individual farmer, the 8-bale man, would derive great benefit from it. He is the man who has to borrow money from the local merchant generally, or from the little local bank, and with a $60 bale of cotton has borrowed up to this time, I suppose, $30 or more. There is no market now for his cotton. The small merchant needs his money; the small local banker needs his money. The proposition is simply to put his cotton in a shape where certificates representing the ownership can be presented in New York or in any other portion of the United States. In that way, I believe, at least some help would be extended to the small cotton man in the South.

I can not vote for this bill with the amendments which have been placed upon it. An entirely different proposition presents itself, Mr. President, when the foodstuffs, the necessaries of life of the 90,000,000 people of this country are concerned. The object of the bill as amended if it has any effect is simply to enable the wheat grower to reap a benefit, and I say as to the wheat grower, Mr. President, that is a mistake. It is not the wheat grower, because the wheat has gone already out of the hands of the wheat grower into the hands of the speculator and the elevator man, and these two practically now own the wheat and will hold it until the time when they will get the price which suits them for the wheat.

There has been legislation in the history of the Government in matters of foodstuffs in time of emergency, and the legislation heretofore has been in the interests of the man who bought and ate the bread. The object has been to control the prices so that no one might forestall or take advantage of opportunities to demand high prices for the foodstuffs for the people to live on. It has surprised me during this debate here that not one word has been said by those who have spoken upon this matter, and some have spoken several times, of the man who has to eat, the man who has to feed his family of little children, to whom we should look to some extent, at any rate.

I am against any such amendments as would allow the salmon factory to place its food products in a warehouse and enable the factory to bank that stuff and to secure money with which to carry it for the purpose of oppressing the people who must eat the product. I am against the proposition, as it is submitted here in this amendment, to issue certificates on grain, for the same reason. Canada already, we understand from the press, is attempting to regulate the prices for the benefit of the consumers, for the benefit of those who must eat the product of the wheat; and here we are simply proposing by legislation to enable the man who now holds the wheat—not the man who raises it, not the man who has parted with it, but when he has sold it to the elevator or sold it to the speculator—to control the food products upon which the people of this country must rely and to hold it until he can get what he pleases for it or export it. Why? They may wait until the price in Europe rises above what it is to-day and enable them to handle not only the European portion of the crop that would naturally go to Europe, but we are passing legislation of this kind without any provision to prevent it, which has been prohibited by the laws of all civilized countries ever since laws were first made. Without any attempt to throw restrictions around the warehousing, the holding, and the speculation in the foodstuffs, we, by this amendatory legislation, put them in the same class as the cotton of the South.

I was in favor of the bill as it stood. I am absolutely opposed to it with the various amendments that have been placed upon it, unless there is some provision with those amendments in the bill for the protection of the consumers of the United States.

Mr. BRISTOW. Mr. President, the Senator from New Mexico [Mr. FALL] has indicated that so far as the amendment relating to grain is concerned it is in the interest of speculators in grain. The truth is that the speculators in grain took advantage of the situation that existed when transportation was stopped and the necessities of the farmers who produced the grain, and the price was put down very low. As I said the other day, in the section of the country from which I come millions of bushels of wheat were sold for 60 cents a bushel, which was exceedingly low. That wheat now is in the possession of the elevators, and I might say the speculators, the millers, and jobbers, and exporters, and the price has gone up, so that in the same section of the country it is now selling for 75 and 80 cents.

If we had had legislation similar to this, or if we had had laws that would accomplish what this purports to accomplish, it would not have been necessary for the farmer to have sold his wheat to the speculator. He could have placed it in storage, and with his certificate he could have handled his business and met his obligations. It is to relieve him from such opportunities of oppression from those who deal in his products that makes me favor this kind of legislation.

There is no difference in principle between the situation which confronts the cotton farmer of the South and the wheat farmer of the West. Wheat and cotton are staple products, and the farmer is not interested in any combination or trust to force up the price and to extort from the people of the United States more than he is entitled to for his product. The price of flour has been advancing not because the cost of producing flour is any greater, but flour made from wheat that was purchased for 60 cents a bushel has been advanced, not flour from wheat that was purchased for 80 or 90 cents.

This legislation is not in the interest of the speculator in wheat any more than it is in the interest of the speculator in cotton, and to draw a distinction is unfair to the wheat producers of the West and the Senators who are attempting to help them and to protect them from the disaster that has been visited upon them. While millions of bushels of wheat have already been marketed, there are still millions of bushels to market.

I do not care to style this as emergency legislation. I am not for amendments that limit its operation. I think we ought to have well-considered legislation of a permanent character, so as to meet any emergency that might come upon the producing class of our country, the farmer, who can not combine and reap the greatest reward from the production.

We have bills here pending which seek to relieve farmers from the operations of the antitrust laws. To my mind they are ridiculous, unnecessary, and impracticable. The farmers can not organize a trust. They do not want to be permitted to organize trusts. What they are asking is protection from trusts that are organized to deal in the products which come from their toil and not permission to organize a trust themselves. They do not organize and extort from the people unreasonable prices for what they have to sell. If they were disposed to do it, it would be impossible for them to do it; there are too many of them, and competition is too widespread and universal among them.

Any permanent legislation that will bring about opportunities for the farmer to store products that can be stored with safety, so that he may utilize the value which he owns in those products, products that will command cash on the market, is not unwise legislation. It is safe, sane, and beneficial legislation. I regret, sir, that limitations of any kind have been placed upon it.

Mr. FALL. May I ask the Senator from Kansas a question?

Mr. BRISTOW. Certainly.

Mr. FALL. I join the Senator in the hope that such legislation may be enacted at some time for the benefit of the farmer; but along with such legislation does not the Senator join with me in the belief that there should be such restrictions as will protect the consumer?

Mr. BRISTOW. Certainly; I am in favor of that, and I thought we were going to try to have legislation here that would protect the consumer from combinations and trusts.

Mr. FALL. We are undertaking to protect the farmer—that is, the food owner, the man who holds to-day the people's food—but we are undertaking to protect him by simple amendments to a bill which does in no way prevent forestalling or the holding of the people's foodstuffs to their detriment or injury.

Mr. BRISTOW. Any legislation that is for the purpose of breaking up any combination such as Mr. Patton and a few others entered into to force the prices, of course, the Senator knows I am heartily in favor of. I think a lot of those fellows ought to be in the penitentiary. They are a curse to humanity just the same as are the Wall Street speculators, who ought to be in the penitentiary instead of being put in places of high authority in the affairs of the Government.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. I do.

Mr. GRONNA. I wish to suggest to the Senator from Kansas that the men of whom he speaks do not deal in wheat. They deal in what we call "wind wheat."

Mr. BRISTOW. Yes; imaginary, future wheat.

Mr. GRONNA. I want to say for the benefit of my friend the Senator from New Mexico that, so far as the West is concerned, not a bushel of this year's crop is in the hands of the speculators. It is all in the hands of the farmers.

Mr. FALL. I want to answer the Senator from North Dakota to this extent: The Senator is one of the great farmers of this country. I am one of the small farmers of the country. I know something, in my small way, about farming, as well as the Senator does in his much larger way. I am dependent upon farming entirely, aside from the salary which I receive here for my very brilliant labors in this body. I know something about wheat. I raise wheat to some small extent. I know something about hay. While the Senator is speaking of the wheat crop, why has he not said something about the hay crop, which bears the relation of 8 to 5 to wheat in total value? There is $800,000,000 worth of hay and $500,000,000 worth of wheat, on an average, in a year. Hay is the one great product of my part of the country. Alfalfa hay alone in New Mexico is worth more than the entire mineral output of the great mineral State of Arizona, which I believe stands first to-day in copper production, for instance. It is one of the great crops which we raise. The price for it is fixed not by the local market, but is fixed by an interstate relationship, because we ship to Louisiana, Georgia, and other Southern States.

I am not here asking, sir, for protection for hay, although my hay product might amount to almost as much, possibly, as the total value of the wheat of some individual wheat farmers in the Northwest. I bale my hay. Hay can be kept for years. But I am not asking any special legislation to help in getting some money for the hay product.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. FALL. I do.

Mr. GRONNA. I wish to remind my good friend from New Mexico that, so far as I am personally concerned, I shall not take advantage of the new law. I do not expect to receive a single certificate or ask the Secretary to issue me a certificate, so far as I am concerned. I make this statement in order to relieve the mind of the Senator from New Mexico.

Mr. FALL. My mind, so far as the Senator who has just spoken is concerned, needs no relief, except from the burden, possibly, of admiration for that Senator's sincerity and honesty. But I do not think that the Senator has looked upon the other side of the wheat proposition. If we raise the price of hay, Mr. President, it might not affect the foreign market a great deal, but it would affect the price of every pound of meat that the people of the United States eat. The price of every pound of mutton, every pound of pork, and every pound of beef would be affected by the increase in the price of hay, because not only the corn which the Senators have spoken of, but hay, are absolutely necessary for the making of meat.

But, Mr. President, as I said, when the Senator from Kansas can join me in working out some scheme by which we can help the farmer and keep him out of the hands of the speculator, help him to get a good price for his products, I will vote for it, provided that at the same time there are restrictions thrown around the disposition of that product, so that advantage will not be taken of those who must have foodstuffs to sustain life and who do not raise them on the farm.

The VICE PRESIDENT. The question is on the amendment of the Senator from West Virginia [Mr. CHILTON].

Mr. POINDEXTER. The Senator from West Virginia [Mr. CHILTON] seems to be under the impression, in speaking upon the amendment, that if it were adopted the Government would have no authority to grade and certify the grade of peaches and apples. His amendment provides that all the provisions of the bill relating to cotton shall apply to peaches and apples in so far as they are applicable. The bill, in section 9, provides:

> That any warehouse receipt or certificate of the grade or class of cotton issued under this act may specify the grade or class of the cotton covered thereby in accordance with the official cotton standards of the United States, as the same may be fixed and promulgated under authority of law from time to time by the Secretary of Agriculture, or in accordance with any other standard. If such receipts and certificates state the grade or class, they shall show the standard in accordance with which the cotton has been graded or classified.

If the Senator's amendment should be adopted, the same provision will be applied to the products which his amendment specifies. It was mainly for that reason I thought I ought to state I would be compelled to vote against the amendment. I think that if the Government should be authorized to fix a standard of grades of apples and peaches, if that should be deemed wise legislation, there ought to be some consideration given by Congress before conferring that authority upon the Secretary of Agriculture as to the standard which he is to fix or the rules by which he shall be guided in fixing the standard.

There are different standards in different parts of the country. One section of the country will insist upon a certain standard, another section of the country upon another standard. It does not apply only to the quality of the fruit, but there may be included under the very general provisions of the bill, all of which I have not read, the fixing of the manner of packing, the size and character of the packing boxes, and, as I have stated before, what is satisfactory to one part of the country in that respect is not satisfactory to another part. The standard should be discussed and fixed by statute and not left to the unlimited discretion of the Secretary.

This bill has for its sole purpose the grading and certifying of the grades of cotton and the licensing of the warehouses in which it is stored, the establishment of what may be called bonded warehouses. If it is considered advisable to establish standards for warehouses for the storing of fruit, of course if peaches and apples are included there is no reason why other kinds of fruit should not be included also. That is a matter which should be thoroughly discussed and the interested parties heard from before a law is enacted.

Mr. McCUMBER. Mr. President——

Mr. POINDEXTER. I yield to the Senator from North Dakota.

Mr. McCUMBER. Suppose that peaches were inspected and put into a warehouse as of a certain grade, how long would those peaches retain that grade? Are they not so perishable that any rule of this kind could not be applied to them? Would it not be ridiculous to attempt to apply it to any perishable fresh fruit?

Mr. POINDEXTER. It certainly would be so far as peaches are concerned, in my judgment. How long a peach would retain its quality in storage would depend somewhat upon the variety of the peach; but a certificate would be issued under this bill that a peach was stored of a certain grade. As the Senator has very well suggested, no information would be given by that certificate as to whether or not at any certain time the peach was a marketable commodity or retained the standard which had been fixed by the Government at the time the certificate was issued

Mr. McCUMBER. The Senator from Washington knows, if he will excuse me, that cotton can be kept for years without deteriorating. Wheat is really better the second year than it is the year that it is raised; it brings a higher market price when it is a year old than it does directly from the farm. I assume that wheat would be good for 5 or 6 years if kept in a good dry place, and I do not know but that it might be good for 30 years if kept in a proper place. This bill would apply to those products which we can store and can keep. When we include the ordinary grains and cotton, I think we have covered the ground unless we go into canned goods.

Mr. POINDEXTER. To appreciate the difficulty the Government would be confronted with if the bill should be extended to include perishable fruit it is only necessary to read section 10, which provides for inspection and reinspection and reexamination, at such time as the Secretary of Agriculture may see fit, of cotton which is proposed to be stored under the bill. A system of inspection of peaches from time to time to ascertain whether or not the certificate which had been issued for them was still a good certificate would be manifestly impracticable.

I do not think any such authority ought to be conferred upon the Secretary of Agriculture or that any such service is necessary.

I think it ought to appear while we are discussing this amendment just what it does provide, so I will read a few lines of the bill:

SEC. 10. That the Secretary of Agriculture is authorized to cause inspections and examinations to be made of any cotton which, in any warehouse receipt or certificate issued pursuant to this act, has been certified or represented to conform to any grade or class established in the official cotton standards of the United States and to ascertain whether the cotton—

"Or the peaches or apples," I may interpolate—

is in fact of the specified grade or class. Whenever, after opportunity for hearing has been afforded to the owner of the cotton involved and the licensee concerned, it is determined by the Secretary that any such cotton has been incorrectly certified or represented to conform to a specified grade or class of the official cotton standards of the United States, he may publish his findings.

Section 9 provides:

That any warehouse receipt or certificate of the grade or class of cotton issued under this act may specify the grade or class of the cotton covered thereby, etc.

I have read that. Very general authority is given to the Secretary of Agriculture under section 14 of the bill, which provides:

SEC. 14. That the Secretary of Agriculture shall, from time to time, make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

It is difficult to tell what the Secretary of Agriculture would not be allowed to do under that general authority; and whether or not such rules or regulations could be framed by him as would be satisfactory to the different sections of the country interested in these products is a matter which would require some conference between them. There ought to be some understanding in advance of the principles by which the Secretary would be guided before he is clothed with this comprehensive and unlimited power to make rules and regulations.

Mr. CHILTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from West Virginia?

Mr. POINDEXTER. I yield.

Mr. CHILTON. I merely want to ask the Senator how he thinks the Secretary of Agriculture will grade canned salmon, an amendment as to which was inserted for the benefit of his section of the country?

Mr. POINDEXTER. He would grade them a good deal in the same way that meat is graded. I will say, however, that I did not propose the amendment to which the Senator from West Virginia refers.

Mr. CHILTON. Salmon are packed in cans. How can they be graded in the cans? I voted with the Senator to include canned salmon. I took the word of Senators from that section that such an amendment was needed. I recognize that a war emergency exists; and I suppose that we should have faith in the Secretary of Agriculture that he would not do a foolish or a vain thing; and that he would certainly not injure any section of the country.

Apples are raised in the section of country from which the Senator from Washington comes; they are raised in West Virginia; they are raised throughout the Valley of Virginia. Certainly in a great emergency like this, when the foreign market is taken from us, we ought to get together. Instead of dwelling on grades, we ought to have in mind preserving the interests of the tens of thousands of people who are engaged in the industry; and we ought to recollect that the great thing is to get something out of this legislation for our people, and not have a contention as to how these articles are to be graded. I am perfectly willing that all the apples shall come up to the Washington apple grade, if it is so desired. I do not care whether the department grades them on the basis of Washington apples or West Virginia apples, the Roman Beauty, the Ben Davis, the Grimes Golden, or what not. I want something to preserve the product of these people.

Is not the Senator surprised that anyone should make the objection here that there has any trust entered into this matter? As a rule, we can not go out and sell 1 barrel of apples, or 2 barrels of apples, or 10 barrels of apples. The object of the amendment is to save them for a particular time when there is a market; when they can be handled in quantities, and to put them in warehouses or cold storage where they can remain.

I am not interested in the grade of apples, but I am interested in the fact that there is an emergency, and tens of thousands of people in the Senator's State and in my own State will be greatly injured if we do not very soon do something to help them. I think this is not a time to bring up technical questions.

Mr. POINDEXTER. Mr. President, I call the attention of the Senator from West Virginia to the fact that the further authority is conferred upon the Secretary of Agriculture, under this comprehensive bill, of issuing licenses to inspectors. Whether or not that is feasible as to peaches certainly, or as to apples, in my opinion, is extremely doubtful, and it is of doubtful advisability whether there ought to be Government inspection of peaches. Section 6 of the bill provides as follows:

SEC. 6. That the Secretary of Agriculture may, upon presentation to him of satisfactory proof of competency, issue to any person a license to grade or classify cotton, and to certificate the grade or class thereof, under such rules and regulations as may be made pursuant to this act.

I am not in favor at this time of voting for a measure conferring that authority upon the Secretary of Agriculture as to peaches and apples.

In conclusion, I wish to call attention to the recent law which was passed in the Agricultural appropriation bill appropriating $91,000 to be used by the Secretary of Agriculture in the establishment of standards for grades of cotton. So that the emergency, if there is an emergency—and I think that the relief which would be obtained from this bill is very largely exaggerated—has been already partly covered by this Congress in the appropriation of that considerable sum of money. The act provides:

For investigating the ginning, handling, grading, baling, gin compressing, and wrapping of cotton, and the establishment and demonstration of standards for the different grades thereof, and for carrying into effect the provisions of law relating thereto, $91,000.

All of the work covered by that appropriation of $91,000 is in direct line of the work provided for in this bill. So far as examination of the cotton itself is concerned, the bill simply provides for an extension of the work, so that the entire expense of what is necessary to be done in carrying out the purposes of this bill will not have to be paid for by the appropriation contained in the bill itself.

Mr. SMITH of Georgia. In other words, the Senator points out that, so far as cotton is concerned, Congress has already provided for a considerable portion of this work.

Mr. POINDEXTER. Yes.

Mr. SMITH of Georgia. Now, this bill simply means that the department may classify and designate or arrange to classify and designate it

Mr. POINDEXTER. Exactly; and I think it involves no new principle whatever from that which was accepted and recognized by Congress in the Agricultural appropriation bill.

Mr. McCUMBER. And I want to say that if the Senator had read on a little further he would have found $76,320 appropriated for investigating the handling and grading of grain; so that the Senator's remark will apply equally to grain.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from West Virginia. [Putting the question.] By the sound the noes seem to have it.

Mr. CHILTON. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. CHILTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Ashurst | Fletcher | Lee, Md. | Sheppard |
| Bankhead | Gallinger | Lewis | Shields |
| Bristow | Gore | McCumber | Simmons |
| Bryan | Gronna | Martin, Va. | Smith, Ga. |
| Burton | Hollis | Martine, N. J. | Smoot |
| Chamberlain | Hughes | Myers | Swanson |
| Chilton | Johnson | Nelson | Thomas |
| Culberson | Jones | Overman | Thompson |
| Cummins | Kern | Perkins | Thornton |
| Dillingham | Lane | Pittman | Weeks |
| Fall | Lea, Tenn. | Poindexter | White |

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. HITCHCOCK, Mr. REED, Mr. SHAFROTH, Mr. SHIVELY, and Mr. WEST answered to their names when called.

Mr. BRADY entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty Senators have answered to the roll call; there is a quorum present.

Mr. CHILTON. Mr. President, I renew my request for the yeas and nays upon my amendment. I wish to say to the proponents of this bill that it might be well for them to give us all a fair chance.

The VICE PRESIDENT. The Senator from West Virginia requests the yeas and nays on his amendment. Is the request seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I am paired with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Ohio [Mr. POMERENE] and will vote. I vote "nay."

Mr. GALLINGER (when his name was called). Transferring my pair with the junior Senator from New York [Mr. O'GORMAN] to the junior Senator from Vermont [Mr. PAGE], I vote "yea."

Mr. GORE (when his name was called). I have a general pair with the junior Senator from Wisconsin [Mr. STEPHENSON], and therefore withhold my vote.

Mr. HOLLIS (when his name was called). I am paired with the junior Senator from Maine [Mr. BURLEIGH], and withhold my vote.

Mr. LEA of Tennessee (when his name was called). I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

Mr. REED (when his name was called). I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from Louisiana [Mr. RANSDELL] and will vote. I vote "yea." I take this occasion to announce that my colleague [Mr. STONE] is necessarily absent from the Senate, and has been excused by the vote of the Senate. In his absence he is paired with the senior Senator from Wyoming [Mr. CLARK].

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. As I can not secure a transfer, I withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I am, however, at liberty to vote for the purpose of making a quorum. I vote "nay"; but I shall withdraw my vote if it is not necessary to make a quorum.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. In his absence I withhold my vote.

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. Under the terms of that pair I am at liberty to vote in case my vote is necessary to make a quorum. I shall withhold my vote for the present, until I ascertain whether or not it will be necessary to make a quorum.

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], which I transfer to the senior Senator from Illinois [Mr. SHERMAN], and will vote. I vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I transfer my pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the junior Senator from Mississippi [Mr. VARDAMAN], and will allow my vote to stand.

Mr. CULBERSON. Again announcing my pair and its transfer, I vote "nay."

Mr. SIMMONS. If my vote is necessary to make a quorum, under the terms of my pair I am at liberty to vote. I vote "nay."

Mr. WALSH. I am advised that less than a majority has voted, and I accordingly vote. I vote "nay."

Mr. THOMAS. I desire to be counted as present.

The result was—yeas 12, nays 36, as follows:

YEAS—12.

| | | | |
|---|---|---|---|
| Camden | Gallinger | Jones | Pittman |
| Chamberlain | Hughes | Lane | Reed |
| Chilton | Johnson | Martine, N. J. | Swanson |

NAYS—36.

| | | | |
|---|---|---|---|
| Ashurst | Fall | Myers | Simmons |
| Bankhead | Fletcher | Nelson | Smith, Ga. |
| Brady | Gronna | Overman | Smoot |
| Bristow | Hitchcock | Perkins | Thompson |
| Bryan | Kern | Poindexter | Thornton |
| Burton | Lea, Tenn. | Shafroth | Walsh |
| Culberson | Lee, Md. | Sheppard | Weeks |
| Cummins | McCumber | Shields | West |
| Dillingham | Martin, Va. | Shively | White |

NOT VOTING—48.

| | | | |
|---|---|---|---|
| Borah | Hollis | Owen | Smith, S. C. |
| Brandegee | James | Page | Stephenson |
| Burleigh | Kenyon | Penrose | Sterling |
| Catron | La Follette | Pomerene | Stone |
| Clapp | Lewis | Ransdell | Sutherland |
| Clark, Wyo. | Lippitt | Robinson | Thomas |
| Clarke, Ark. | Lodge | Root | Tillman |
| Colt | McLean | Saulsbury | Townsend |
| Crawford | Newlands | Sherman | Vardaman |
| du Pont | Norris | Smith, Ariz. | Warren |
| Goff | O'Gorman | Smith, Md. | Williams |
| Gore | Oliver | Smith, Mich. | Works |

The VICE PRESIDENT. On the amendment of the Senator from West Virginia [Mr. CHILTON] the yeas are 12 and the nays 36, Senators GORE, HOLLIS, and THOMAS being in the Chamber and having announced their pairs, and not voting. The Chair declares the amendment rejected.

Mr. CHILTON. Mr. President, I now offer the same amendment with the words "apples" and "peaches" stricken out, so that it will apply to oil alone. I will test the good faith of the critics of the amendment. I ask that the Secretary may state the amendment with those words stricken out.

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The Secretary read as follows:

That all the provisions hereof are extended to include tanks, tankage, and pipe lines for the storage of oil, together with the inspection, classification, and the issuance of receipts and certificates therefor, to the same extent, so far as applicable, as the same are made applicable to the warehouses for the storage and classification of cotton, under such rules and regulations as the Secretary of Agriculture may prescribe.

Mr. SMITH of Georgia. I move to lay the amendment on the table.

Mr. CHILTON. On that motion I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. NELSON. Mr. President, what is the motion—to lay on the table?

The VICE PRESIDENT. To lay the amendment on the table.

Mr. CHAMBERLAIN (when his name was called). I transfer my general pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the junior Senator from Mississippi [Mr. VARDAMAN] and will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). In the absence of the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, I withhold my vote.

Mr. FLETCHER (when his name was called). I announce my pair and its transfer as before and will vote. I vote "yea."

Mr. GALLINGER (when his name was called). Announcing the same transfer as on the previous roll call, I vote "nay."

Mr. GORE (when his name was called). I again announce my pair with the junior Senator from Wisconsin [Mr. STEPHENSON] and withhold my vote. I desire to be counted as present.

Mr. HOLLIS (when his name was called). I announce my pair and withhold my vote.

Mr. LEA of Tennessee (when his name was called). Repeating the same announcement as on the previous roll call as to the transfer of my pair, I vote "yea."

Mr. MYERS (when his name was called). I again announce the transfer of my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. REED (when his name was called). I make the same transfer as on the previous roll call and vote "nay."

Mr. THOMAS (when his name was called). I again announce my pair and withhold my vote. I ask to be counted as present.

Mr. WALSH (when his name was called). I again announce my pair with the senior Senator from Rhode Island [Mr. LIPPITT]. It being obvious that my vote is necessary in order to help make a quorum, I vote "yea."

Mr. WEEKS (when his name was called). I transfer my pair with the senior Senator from Kentucky [Mr. JAMES] to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "yea."

The roll call was concluded.

Mr. SIMMONS. If necessary to make a quorum, I will vote. I vote "yea."

Mr. LEWIS. If it is necessary to make a quorum, I will vote. I vote "nay."

The result was—yeas 25, nays 23, as follows:

YEAS—25.

| | | | |
|---|---|---|---|
| Bankhead | Kern | Shafroth | Walsh |
| Brady | Lea, Tenn. | Sheppard | Weeks |
| Bryan | Martin, Va. | Shields | West |
| Fall | Myers | Shively | White |
| Fletcher | Nelson | Simmons | |
| Hitchcock | Perkins | Smith, Ga. | |
| Johnson | Poindexter | Thornton | |

NAYS—23.

| | | | |
|---|---|---|---|
| Ashurst | Cummins | Lane | Pittman |
| Bristow | Gallinger | Lee, Md. | Reed |
| Burton | Gronna | Lewis | Smoot |
| Camden | Hughes | McCumber | Swanson |
| Chamberlain | Jones | Martine, N. J. | Thompson |
| Chilton | Kenyon | Overman | |

NOT VOTING—48.

| | | | |
|---|---|---|---|
| Borah | Clarke, Ark. | Goff | Lodge |
| Brandegee | Colt | Gore | McLean |
| Burleigh | Crawford | Hollis | Newlands |
| Catron | Culberson | James | Norris |
| Clapp | Dillingham | La Follette | O'Gorman |
| Clark, Wyo. | du Pont | Lippitt | Oliver |

| | | | |
|---|---|---|---|
| Owen | Root | Smith, S. C. | Tillman |
| Page | Saulsbury | Stephenson | Townsend |
| Penrose | Sherman | Sterling | Vardaman |
| Pomerene | Smith, Ariz. | Stone | Warren |
| Ransdell | Smith, Md. | Sutherland | Williams |
| Robinson | Smith, Mich. | Thomas | Works |

The VICE PRESIDENT. On the motion to lay on the table the amendment proposed by the Senator from West Virginia [Mr. CHILTON] the yeas are 25 and the nays are 23, and 2 Senators have requested that they be counted as present. That discloses the presence of a quorum, and the motion to lay on the table is agreed to.

Mr. GALLINGER. Mr. President, I have intimated two or three times that I would, perhaps, offer an amendment including textile manufacturing and the manufacture of boots and shoes, but I have concluded not to do so. I shall content myself by saying that if the conditions should overtake our manufacturing industries that we encountered in the years 1893 and 1894 in New England I think we would have quite as strong a case as the cotton raisers have at the present time. That does not exist to-day, however; and while there is a good deal of disturbance, I think our manufacturers can get along without Government aid. For that reason I shall refrain from offering the amendment that I suggested I might offer.

Mr. WEEKS. Mr. President, I have sent to the desk an amendment, which I wish to offer and have read.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 8, line 3, it is proposed to strike out the words "to call upon qualified persons not regularly in the service of the United States" and to insert "to appoint qualified persons, after examination to be held under his direction to determine their competency," so that, if amended, it will read as follows:

He is authorzed, in his discretion, to appoint qualified persons, after examination to be held under his direction to determine their competency, for temporary assistance in carrying out the purposes of this act, and out of the moneys appropriated by this act to pay the salaries and expenses thereof.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts.

Mr. WEEKS. The only purpose of the amendment which I have offered is that an examination shall be given under the direction of the Secretary of Agriculture for the employees who are to be taken into the service under the provisions of this act.

Mr. SMITH of Georgia. So far as I am concerned I do not object to the amendment, because I know the Secretary contemplates having an examination and testing the proficiency before he makes any appointments.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### HOUR OF MEETING TO-MORROW.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn until to-morrow at 11 o'clock a. m.

The motion was agreed to.

### PETITIONS AND MEMORIALS.

Mr. PERKINS presented a petition of the Board of Trustees of Monrovia, Cal., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented memorials of sundry citizens of San Diego and San Francisco, in the State of California, remonstrating against the passage of the so-called Clayton antitrust bill, which were ordered to lie on the table.

Mr. NELSON presented memorials of sundry citizens of Proctor, Minn., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Chautauqua Assembly of Austin, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTINE of New Jersey:

A bill (S. 6376) for erecting a suitable monument to Commodore Uriah P. Levy, in the city of Washington, D. C.; to the Committee on the Library.

By Mr. SHIVELY:

A bill (S. 6377) granting an increase of pension to Eli Reese;

A bill (S. 6378) granting an increase of pension to John H. Tyson;

A bill (S. 6379) granting an increase of pension to Joseph McKinsey; and

A bill (S. 6380) granting an increase of pension to John W. Covey (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6381) granting an increase of pension to General John Harper; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 6382) for the relief of Ida V. Stephens; to the Committee on Claims.

### PROPOSED ANTITRUST LEGISLATION.

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (H. R. 15657) to supplement existing laws against unlawful restraints and monopolies, and for other purposes, which was ordered to lie on the table and be printed.

### DONATION OF CONDEMNED CANNON.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (S. 5495) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls, which was ordered to lie on the table and be printed.

### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on August 24, 1914, approved and signed the following act:

S. 5198. An act to reserve certain lands and to incorporate the same and make them a part of the Pike National Forest.

### EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After six minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, August 25, 1914, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate August 24 (legislative day of August 22), 1914.*

### UNITED STATES ATTORNEY.

John E. Laskey, of Washington, D. C., to be United States attorney for the District of Columbia, vice Clarence R. Wilson, whose term has expired.

### SUPERINTENDENT UNITED STATES ASSAY OFFICE.

Verne M. Bovie, of New Rochelle, N. Y., to be superintendent of the United States assay office at New York, N. Y., in place of Daniel P. Kingsford, resigned.

### ADJUTANT GENERAL'S DEPARTMENT.

Col. Henry P. McCain, adjutant general, to be The Adjutant General, with the rank of brigadier general, for the period of four years beginning August 27, 1914, vice Brig. Gen. George Andrews, to be retired from active service August 26, 1914.

### POSTMASTERS.

#### CALIFORNIA.

Margaret C. Hamilton to be postmaster at San Anselmo, Cal., in place of Frank D. Burrows. Incumbent's commission expired June 14, 1913.

W. E. Hyatt to be postmaster at Cloverdale, Cal., in place of Thomas B. Wilson. Incumbent's commission expired January 23, 1912.

George W. Mallory to be postmaster at Nordhoff, Cal., in place of Samuel L. Smith. Incumbent's commission expired December 21, 1913.

George E. Meekins to be postmaster at Stanford University, Cal., in place of Helen C. Thompson, name changed by marriage.

Silas T. Merrill to be postmaster at Galt, Cal., in place of John J. Campbell. Incumbent's commission expired January 20, 1913.

F. N. Paxton to be postmaster at Oroville, Cal., in place of William L. Leonard. Incumbent's commission expired May 2, 1914.

#### GEORGIA.

James O. Varnedoe to be postmaster at Valdosta, Ga., in place of James O. Varnedoe. Incumbent's commission expired March 28, 1914.

#### HAWAII.

Moses D. K. Keohokalole to be postmaster at Lahaina, Hawaii, in place of John M. Bright, declined.

#### IDAHO.

P. H. Blake to be postmaster at Orofino, Idaho, in place of James A. Parker, resigned.

ILLINOIS.

Mabel J. Nafziger to be postmaster at Danvers, Ill., in place of Calvin F. Randolph. Incumbent's commission expired December 21, 1913.

Frank I. Peterson to be postmaster at Granville, Ill., in place of Winfield S. Hopkins, removed.

Wilbur Whitney to be postmaster at Byron, Ill., in place of William H. Mix. Incumbent's commission expired March 17, 1914.

KANSAS.

Samuel S. Graybill to be postmaster at Hutchinson, Kans., in place of Henry M. Stewart. Incumbent's commission expired April 15, 1914.

Frederick M. Murphy to be postmaster at Clyde, Kans., in place of Sidney H. Knapp. Incumbent's commission expired June 14, 1914.

MASSACHUSETTS.

Michael O. Haggerty to be postmaster at North Adams, Mass., in place of William F. Darby. Incumbent's commission expired February 22, 1914.

Frank I. Pierson to be postmaster at Leominster, Mass., in place of Thomas A. Hills. Incumbent's commission expired April 15, 1914.

NEW YORK.

John F. Donovan to be postmaster at Mount Morris, N. Y., in place of John Van Dorn. Incumbent's commission expired June 10, 1914.

NORTH DAKOTA.

R. J. Moore to be postmaster at Drayton, N. Dak., in place of Robert A. Long, resigned.

OHIO.

Peter J. Beucler to be postmaster at Louisville, Ohio, in place of John B. Kagey, resigned.

Harry A. Flinn to be postmaster at Orrville, Ohio, in place of Gilbert D. McIntyre. Incumbent's commission expired June 6, 1914.

Adam E. Schaffer to be postmaster at Wapakoneta, Ohio, in place of W. B. Morey. Incumbent's commission expired June 24, 1914.

PENNSYLVANIA.

Stephen B. Ryder to be postmaster at Renova, Pa., in place of David Russell. Incumbent's commission expired March 8, 1914.

VIRGINIA.

John W. Anderson to be postmaster at Pennington Gap, Va., in place of S. L. Cecil, removed.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate August 24 (legislative day of August 22), 1914.*

UNITED STATES ATTORNEY.

Earl M. Donalson to be United States attorney for the southern district of Georgia.

COMMISSIONER OF IMMIGRATION.

Frederic C. Howe to be commissioner of immigration at the port of New York, N. Y.

ASSAYER.

John W. Phillips to be assayer in charge of the United States assay office at Seattle, Wash.

POSTMASTERS.

MISSOURI.

Frederick Blattner, Wellsville.

NEW MEXICO.

G. U. McCrary, Artesia.
William D. Wasson, Estancia.

OHIO.

Val Lee, Sidney.
Frank Miller, Paulding.
Emil Weber, Wauseon.

## REJECTION.

*Executive nomination rejected by the Senate August 24 (legislative day of August 22), 1914.*

John H. Bloom to be postmaster at Devils Lake, N. Dak.

## WITHDRAWAL.

*Executive nomination withdrawn August 24 (legislative day of August 22), 1914.*

Herbert P. Stearns to be postmaster at Byron, Ill.

# HOUSE OF REPRESENTATIVES.

MONDAY, *August 24, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, gracious and merciful, wise and just, our heavenly Father, renew our faith in Thee and our confidence in human nature in spite of the terrible spectacle presented to the world by the awful conflict now raging in the nations round about us. Grant, O most merciful Father, that out of it may come a clearer vision, a broader conception of right and truth and justice, which will teach us the art of living together in peace; that brotherly love become the ruling passion of men and of nations under the spiritual leadership of the Prince of Peace. Amen.

The Journal of the proceedings of Saturday last was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SELDOMRIDGE, for two days, to attend the funeral of a relative.

To Mr. Moss of Indiana, one week, on account of the death and burial of Hon. John E. Lamb.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Platt, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 6261. An act authorizing the Secretary of the Treasury to purchase not to exceed 15,000,000 ounces of silver bullion, and for other purposes.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 6261. An act authorizing the Secretary of the Treasury to purchase not to exceed 15,000,000 ounces of silver bullion, and for other purposes; to the Committee on Ways and Means.

THE SEAMEN'S BILL.

Mr. ALEXANDER. Mr. Speaker, on behalf of the Committee on the Merchant Marine and Fisheries, I ask unanimous consent that immediately after the approval of the Journal to-morrow it shall be in order to move to suspend the rules and pass the bill S. 136, known as the seamen's bill, with certain committee amendments, and if a second is demanded it shall be considered as ordered; that two hours of debate on the bill shall be in order, one-half of the time to be controlled by myself and one-half by the gentleman from Massachusetts [Mr. GREENE], the ranking minority member of the committee.

Mr. BARNHART. Reserving the right to object, Mr. Speaker, the Committee on Printing has half a dozen little printing bills that have been hanging fire for four or six weeks, some very important, as they pertain to existing conditions abroad. I have tried several times to get permission to bring them up, but something has been in the way. I am going to ask the gentleman from Missouri if he will concede me the right to present these little bills before taking up his matter to-morrow, immediately after the approval of the Journal. If he will do it, I will not object.

Mr. MANN. Will the gentleman allow a suggestion?

Mr. BARNHART. Certainly.

Mr. MANN. I think the bills mentioned by the gentleman from Indiana will not be in order to-morrow except by unanimous consent.

Mr. BARNHART. What is to-morrow?

Mr. MANN. Tuesday; and the special order agreed to by the House did not exempt reports from the Committee on Printing. Very likely there would be no objection, if unanimous consent is asked after the other matter is disposed of.

The SPEAKER. The gentleman from Missouri asks unanimous consent that to-morrow, immediately after the approval of the Journal, it shall be in order to move to suspend the rules upon the bill S. 136, the seamen's bill, with certain committee amendments, and if a second is demanded, that the second shall be considered as ordered, and that two hours of debate on the bill shall be in order, one half of the time to be controlled by the gentleman from Missouri [Mr. ALEXANDER] and the other half by the gentleman from Massachusetts [Mr. GREENE]. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, I want to ask the gentleman from Missouri a question. Have these proposed amendments been printed?

Mr. ALEXANDER. I had the bill printed with the amendments shown in brackets, and the bill will be available for distribution this afternoon for the Members, and they can see at once what the amendments are.

Mr. HUMPHREY of Washington. I would like to ask the gentleman what is the substance of these amendments, or of the main amendments?

Mr. ALEXANDER. There are no amendments that change the principles of the bill. They make plain some provisions that were thought to be ambiguous and some other amendments nullify some of the provisions with reference to lifeboat equipment and in other regards.

Mr. HUMPHREY of Washington. I want to ask the gentleman about the requirements as to able seamen. As the bill is now amended, does it provide that a man placed in a lifeboat must know something about handling a boat?

Mr. ALEXANDER. Section 14 of the bill conforms to the London convention. It provides that a lifeboat shall be in charge of a licensed officer or able seaman, and that the other men in charge of lifeboats shall be known as lifeboat men and be qualified to handle lifeboats and shall receive certificates as such.

Mr. HUMPHREY of Washington. Does it limit the crew of the lifeboats to the deck crew?

Mr. ALEXANDER. It does not.

Mr. HUMPHREY of Washington. That has been changed?

Mr. ALEXANDER. Materially changed, I think.

Mr. HUMPHREY of Washington. Is there any amendment with reference to what is required to make an able seaman?

Mr. ALEXANDER. A service of three years on deck at sea or two years on the Great Lakes or other inland waters to be rated an able seaman.

Mr. HUMPHREY of Washington. One other question I would like to ask the gentleman. Does the bill as amended still attempt to prescribe to foreign nations the character of the crew they shall carry on their vessels?

Mr. ALEXANDER. There is not any limitation in the bill to vessels of the United States.

Mr. HUMPHREY of Washington. What I want to know is whether the bill still prescribes for a vessel coming into our port how that foreign vessel shall pay its sailors? Does it still prescribe the qualifications for sailors?

Mr. ALEXANDER. The bill is the same as it was when it passed the House and Senate in the last Congress in that regard. The requirements are the same as in the bill when it passed the Senate on the 23d of October last.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire whether any change has been made in the Senate provision as to the excursion steamers on the Great Lakes? It was represented and strongly protested by lake-traffic men that under the provisions of the bill when it passed the Senate it would be impossible for a lake coast steamer to operate.

Mr. ALEXANDER. The bill has been materially modified in that regard to avoid that very hardship.

Mr. STAFFORD. In that particular does the bill at present mollify the objections of the lake-traffic men and the owners of excursion steamers generally?

Mr. ALEXANDER. I think so; very materially.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

WATER POWER ON THE PUBLIC DOMAIN.

The SPEAKER. The unfinished business is the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, which comes over from Saturday with the previous question ordered. The Clerk will report the bill.

The Clerk reported the bill by title.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PAGE of North Carolina. Mr. Speaker, I offer the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. PAGE of North Carolina moves to recommit the bill to the Committee on the Public Lands with instructions to strike out, on page 7, all after the word "into," in line 4, and insert in lieu thereof the following: "the Treasury of the United States as miscellaneous receipts."

Mr. MONDELL. Mr. Speaker, I offer the following substitute for the motion of the gentleman from North Carolina, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 7, line 3, strike out all after the word "plant" and the remainder of the section down to the word "provided," in line 19, and insert the following: "one-half the proceeds of all charges or rentals shall be paid to the State within the boundaries of which the hydroelectric energy is generated, for the support of schools and the construction of roads, as the State legislature may direct; and one-half shall be paid into the reclamation fund; and any lessee under this act of lands entered or owned in acordance with the terms of section 10 of this act shall pay to said entryman or owner the value of the lands so taken, other than for power purposes, and for the improvements thereon. And nothing contained in this act shall affect the rights of homesteaders or desert entrymen initiated prior to the inclusion of their lands in a power-site withdrawal."

Mr. FERRIS. Mr. Speaker, I move the previous question on the motion and all amendments thereto.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Mondell substitute.

The question was taken; and on a division (demanded by Mr. MONDELL) there were—ayes 20, noes 67.

Mr. MONDELL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 47, nays 160, answered "present" 12, not voting 213, as follows:

YEAS—47.

| | | | |
|---|---|---|---|
| Avis | Hinebaugh | Mann | Smith, Saml. W. |
| Barton | Howell | Mapes | Smith, Minn. |
| Britten | Humphrey, Wash. | Mondell | Stephens, Cal. |
| Burke, S. Dak. | Johnson, Utah | Norton | Stephens, Nebr. |
| Cary | Johnson, Wash. | Paige, Mass. | Stevens, Minn. |
| Curry | Kahn | Platt | Sutherland |
| Frear | Keating | Roberts, Nev. | Temple |
| French | Kennedy, Iowa | Scott | Towner |
| Greene, Mass. | Kinkaid, Nebr. | Sinnott | Volstead |
| Greene, Vt. | Lobeck | Sloan | Woods |
| Hawley | McLaughlin | Smith, Idaho | Young, N. Dak. |
| Helgesen | Manahan | Smith, J. M. C. | |

NAYS—160.

| | | | |
|---|---|---|---|
| Abercrombie | Dershem | Humphreys, Miss. | Rauch |
| Adamson | Donohoe | Jacoway | Rayburn |
| Alexander | Donovan | Johnson, Ky. | Reed |
| Allen | Doughton | Jones | Reilly, Conn. |
| Anderson | Dupré | Kelly, Pa. | Reilly, Wis. |
| Ashbrook | Edwards | Kettner | Rogers |
| Bailey | Evans | Kindel | Rouse |
| Barnhart | Falconer | Kitchin | Rucker |
| Beakes | Fergusson | Korbly | Sims |
| Bell, Cal. | Ferris | Lee, Ga. | Sisson |
| Blackmon | FitzHenry | Lee, Pa. | Slayden |
| Booher | Floyd, Ark. | Lesher | Small |
| Borchers | Fowler | Lewis, Md. | Smith, Md. |
| Borland | Gallagher | Lieb | Smith, Tex. |
| Bowdle | Garner | Lloyd | Sparkman |
| Broussard | Garrett, Tenn. | Logue | Stafford |
| Brown, W. Va. | Garrett, Tex. | Lonergan | Stedman |
| Bryan | Godwin, N. C. | McClellan | Stevens, N. H. |
| Buchanan, Ill. | Goeke | McCoy | Stone |
| Buchanan, Tex. | Good | McKellar | Taggart |
| Burgess | Gordon | MacDonald | Talcott, N. Y. |
| Burke, Wis. | Goulden | Maguire, Nebr. | Tavenner |
| Burnett | Gray | Mitchell | Taylor, Ark. |
| Byrns, Tenn. | Gregg | Moon | Taylor, N. Y. |
| Cantrill | Gudger | Morgan, Okla. | Thomas |
| Carr | Hamlin | Morrison | Thompson, Okla. |
| Carter | Hammond | Moss, Ind. | Thomson, Ill. |
| Casey | Hardy | Mulkey | Tribble |
| Clark, Fla. | Harris | Neely, W. Va. | Tuttle |
| Claypool | Harrison | Oglesby | Underwood |
| Cline | Hay | O'Hair | Vaughan |
| Coady | Hayden | Oldfield | Watson |
| Connelly, Kans. | Heflin | Page, N. C. | Weaver |
| Cox | Helm | Park | Webb |
| Crosser | Helvering | Payne | Williams |
| Cullop | Hill | Post | Wilson, Fla. |
| Danforth | Houston | Pou | Wingo |
| Davenport | Howard | Prouty | Witherspoon |
| Deitrick | Hughes, Ga. | Quin | Young, Tex. |
| Dent | Hull | Raker | The Speaker |

ANSWERED "PRESENT"—12.

| | | | |
|---|---|---|---|
| Bartlett | Haugen | Rupley | Talbott, Md. |
| Fields | Henry | Slemp | Taylor, Ala. |
| Hardwick | Moss, W. Va. | Stephens, Tex. | Taylor, Colo. |

NOT VOTING—213.

| | | | |
|---|---|---|---|
| Adair | Browning | Connolly, Iowa | Drukker |
| Aiken | Bruckner | Conry | Dunn |
| Ainey | Brumbaugh | Cooper | Eagan |
| Ansberry | Bulkley | Copley | Eagle |
| Anthony | Burke, Pa. | Covington | Edmonds |
| Aswell | Butler | Cramton | Elder |
| Austin | Byrnes, S. C. | Crisp | Esch |
| Baker | Calder | Dale | Estopinal |
| Baltz | Callaway | Davis | Fairchild |
| Barchfeld | Campbell | Decker | Faison |
| Barkley | Candler, Miss. | Dickinson | Farr |
| Bartholdt | Cantor | Dies | Fess |
| Bathrick | Caraway | Difenderfer | Finley |
| Beall, Tex. | Carew | Dillon | Fitzgerald |
| Bell, Ga. | Carlin | Dixon | Flood, Va. |
| Brockson | Chandler, N. Y. | Dooling | Fordney |
| Brodbeck | Church | Doolittle | Foster |
| Brown, N. Y. | Clancy | Doremus | Francis |
| Browne, Wis. | Collier | Driscoll | Gallivan |

| | | | |
|---|---|---|---|
| Gard | Kennedy, R. I. | Moore | Sells |
| Gardner | Kent | Morgan, La. | Shackleford |
| George | Key, Ohio | Morin | Sherley |
| Gerry | Kiess, Pa. | Mott | Sherwood |
| Gill | Kinkead, N. J. | Murdock | Shreve |
| Gillett | Kirkpatrick | Murray, Mass. | Smith, N. Y. |
| Gilmore | Knowland, J. R. | Murray, Okla. | Stanley |
| Gittins | Konop | Neeley, Kans. | Steenerson |
| Glass | Kreider | Nelson | Stephens, Miss. |
| Goldfogle | Lafferty | Nolan, J. I. | Stout |
| Goodwin, Ark. | La Follette | O'Brien | Stringer |
| Gorman | Langham | O'Leary | Sumners |
| Graham, Ill. | Langley | O'Shaunessy | Switzer |
| Graham, Pa. | Lazaro | Padgett | Ten Eyck |
| Green, Iowa | L'Engle | Palmer | Thacher |
| Griest | Lenroot | Parker | Townsend |
| Griffin | Lever | Patten, N. Y. | Treadway |
| Guernsey | Levy | Patton, Pa. | Underhill |
| Hamill | Lewis, Pa. | Peters | Vare |
| Hamilton, Mich. | Lindbergh | Peterson | Vollmer |
| Hamilton, N. Y. | Lindquist | Phelan | Walker |
| Hart | Linthicum | Plumley | Wallin |
| Hayes | Loft | Porter | Walsh |
| Hensley | McAndrews | Powers | Walters |
| Hinds | McGillicuddy | Ragsdale | Watkins |
| Hobson | McGuire, Okla. | Rainey | Whaley |
| Holland | McKenzie | Riordan | Whitacre |
| Hoxworth | Madden | Roberts, Mass. | White |
| Hughes, W. Va. | Mahan | Rothermel | Willis |
| Hulings | Maher | Rubey | Wilson, N. Y. |
| Igoe | Martin | Russell | Winslow |
| Johnson, S. C. | Merritt | Sabath | Woodruff |
| Keister | Metz | Saunders | |
| Kelley, Mich. | Miller | Scully | |
| Kennedy, Conn. | Montague | Seldomridge | |

So the substitute was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. KENNEDY of Rhode Island (for Mondell substitute) with Mr. COPLEY (against).

Until further notice:

Mr. CALLAWAY with Mr. WILLIS.

Mr. CHURCH with Mr. MCGUIRE of Oklahoma.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. LEVER with Mr. MERRITT.

Mr. ESTOPINAL with Mr. MADDEN.

Mr. BARKLEY with Mr. BURKE of Pennsylvania.

Mr. GRAHAM of Illinois with Mr. PATTON of Pennsylvania.

Mr. STEPHENS of Mississippi with Mr. TREADWAY.

Mr. RIORDAN with Mr. POWERS.

Mr. SABATH with Mr. SWITZER.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. UNDERHILL with Mr. STEENERSON.

Mr. FIELDS with Mr. LANGLEY.

Mr. STEPHENS of Nebraska with Mr. LEWIS of Pennsylvania.

Mr. LAZARO with Mr. PARKER.

Mr. DALE with Mr. MARTIN.

Mr. MORGAN of Louisiana with Mr. LINDQUIST.

Mr. BELL of Georgia with Mr. CALDER

Mr. PADGETT with Mr. MORIN.

Mr. ADAIR with Mr. GILLETT.

Mr. FITZGERALD with Mr. MOORE.

Mr. WHALEY with Mr. WOODRUFF.

Mr. SHERLEY with Mr. PORTER.

Mr. WALKER with Mr. VARE.

Mr. ASWELL with Mr. AINEY.

Mr. ELDER with Mr. WINSLOW.

Mr. DICKINSON with Mr. GRAHAM of Pennsylvania.

Mr. PETERSON with Mr. PETERS.

Mr. SHERWOOD with Mr. MOTT.

Mr. AIKEN with Mr. ANTHONY.

Mr. JOHNSON of South Carolina with Mr. HULINGS.

Mr. TALBOTT of Maryland with Mr. MCKENZIE.

Mr. HARDWICK with Mr. J. R. KNOWLAND.

Mr. BYRNES of South Carolina with Mr. HAUGEN.

Mr. GOODWIN of Arkansas with Mr. AUSTIN.

Mr. CARAWAY with Mr. BARCHFELD.

Mr. BALTZ with Mr. BROWNE of Wisconsin.

Mr. BATHRICK with Mr. CAMPBELL.

Mr. CANDLER of Mississippi with Mr. COOPER.

Mr. CARLIN with Mr. CHANDLER of New York.

Mr. COLLIER with Mr. CRAMTON.

Mr. CONRY with Mr. DAVIS.

Mr. DIXON with Mr. DILLON.

Mr. DOREMUS with Mr. DUNN.

Mr. FINLEY with Mr. DRUKKER.

Mr. FLOOD of Virginia with Mr. EDMONDS.

Mr. FOSTER with Mr. FORDNEY.

Mr. FRANCIS with Mr. FESS.

Mr. GOLDFOGLE with Mr. FAIRCHILD.

Mr. HENSLEY with Mr. FARR.

Mr. HOLLAND with Mr. GREEN of Iowa.

Mr. IGOE with Mr. GRIEST.

Mr. KONOP with Mr. HAMILTON of Michigan.

Mr. LEVY with Mr. HAYES.

Mr. MCANDREWS with Mr. KIESTER.

Mr. MONTAGUE with Mr. KELLEY of Michigan.

Mr. PHELAN with Mr. KIESS of Pennsylvania.

Mr. GALLIVAN with Mr. KREIDER.

Mr. PATTEN of New York with Mr. LAFFERTY.

Mr. RAINEY with Mr. LA FOLLETTE.

Mr. RUBEY with Mr. LANGHAM.

Mr. RUSSELL with Mr. NELSON.

Mr. SAUNDERS with Mr. MILLER.

Mr. SHACKLEFORD with Mr. PLUMLEY.

Mr. BRUCKNER with Mr. ROBERTS of Massachusetts.

Mr. WATKINS with Mr. SELLS.

Mr. WILSON of New York with Mr. WALTERS.

Mr. HENRY with Mr. HINDS.

Mr. STEPHENS of Texas with Mr. BARTHOLDT.

For the session:

Mr. GLASS with Mr. SLEMP.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. SCULLY with Mr. BROWNING.

Mr. BARTLETT with Mr. BUTLER.

Mr. METZ with Mr. WALLIN.

The SPEAKER. The Chair will state to the House that he has issued writs for the arrest of Members who are not here who can be found to make a quorum. [Applause.]

Mr. TALBOTT of Maryland. Mr. Speaker, I am paired with Mr. MCKENZIE, and I wish to withdraw my vote of "no" and answer "present."

The name of Mr. TALBOTT of Maryland was called, and he answered "Present."

The SPEAKER. The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he voted "no."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors; and the question is on the motion of the gentleman from North Carolina [Mr. PAGE] to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. PAGE of North Carolina. Division, Mr. Speaker.

The House divided; and there were—ayes 30, noes 53.

Mr. PAGE of North Carolina. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from North Carolina makes the point of order that there is no quorum; evidently there is not; the Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 72, nays 140, answered "present" 8, not voting 212, as follows:

YEAS—72.

| | | | |
|---|---|---|---|
| Anderson | Doughton | Jones | Rauch |
| Ashbrook | Edwards | Kitchin | Rogers |
| Avis | FitzHenry | Korbly | Rouse |
| Bailey | Fowler | Lewis, Md. | Sims |
| Beakes | Frear | Linthicum | Sisson |
| Blackmon | Garrett, Tenn. | McClellan | Slayden |
| Borland | Godwin, N. C. | McCoy | Smith, J. M. C. |
| Bowdle | Gordon | Mann | Stafford |
| Buchanan, Ill. | Gray | Montague | Stedman |
| Burnett | Gudger | Moon | Stevens, N. H. |
| Byrns, Tenn. | Harrison | Morrison | Talcott, N. Y. |
| Carr | Hay | Moss, Ind. | Tribble |
| Clark, Fla. | Helm | Oglesby | Tuttle |
| Cline | Hill | Page, N. C. | Underwood |
| Cox | Houston | Park | Watson |
| Crosser | Howard | Payne | Webb |
| Cullop | Hull | Pou | Witherspoon |
| Danforth | Johnson, Ky. | Quin | Woods |

NAYS—140.

| | | | |
|---|---|---|---|
| Abercrombie | Deitrick | Hammond | Lloyd |
| Adamson | Dent | Hardy | Lobeck |
| Alexander | Dershem | Hawley | Logue |
| Allen | Donohoe | Hayden | Lonergan |
| Barnhart | Donovan | Heflin | McKellar |
| Barton | Drukker | Helvering | McLaughlin |
| Bell, Cal. | Dupré | Hinebaugh | MacDonald |
| Booher | Evans | Howell | Maguire, Nebr. |
| Borchers | Falconer | Hughes, Ga. | Manahan |
| Britten | Fergusson | Humphrey, Wash. | Mapes |
| Broussard | Ferris | Humphreys, Miss. | Mitchell |
| Brown, W. Va. | Floyd, Ark. | Jacoway | Mondell |
| Bryan | French | Johnson, Utah | Morgan, Okla. |
| Buchanan, Tex. | Gallagher | Johnson, Wash. | Moss, W. Va. |
| Burgess | Garner | Kahn | Mulkey |
| Burke, S. Dak. | Garrett, Tex. | Keating | Murray, Okla. |
| Burke, Wis. | Gilmore | Kelly, Pa. | Neely, W. Va. |
| Caraway | Goeke | Kennedy, Iowa | Norton |
| Cary | Good | Kettner | Oldfield |
| Casey | Goodwin, Ark. | Kindel | Paige, Mass. |
| Claypool | Goulden | Kinkaid, Nebr. | Platt |
| Coady | Greene, Mass. | Lee, Ga. | Post |
| Connelly, Kans. | Greene, Vt. | Lee, Pa. | Prouty |
| Curry | Gregg | Lesher | Raker |
| Davenport | Hamlin | Lieb | Rayburn |

| | | | |
|---|---|---|---|
| Reed | Small | Sumners | Thomson, Ill. |
| Reilly, Conn. | Smith, Idaho | Sutherland | Towner |
| Reilly, Wis. | Smith, Saml. W. | Taggart | Vaughan |
| Roberts, Mass. | Smith, Minn. | Tavenner | Volstead |
| Roberts, Nev. | Smith, Tex. | Taylor, Ark. | Weaver |
| Rucker | Sparkman | Taylor, Colo. | Williams |
| Rupley | Stephens, Cal. | Taylor, N. Y. | Wilson, Fla. |
| Scott | Stephens, Nebr. | Temple | Wingo |
| Sinnott | Stephens, Tex. | Thomas | Young, N. Dak. |
| Sloan | Stone | Thompson, Okla. | The Speaker |

ANSWERED "PRESENT"—8.

| | | | |
|---|---|---|---|
| Driscoll | Hardwick | Henry | Talbott, Md. |
| Fields | Haugen | La Follette | Taylor, Ala. |

NOT VOTING—212.

| | | | |
|---|---|---|---|
| Adair | Dillon | Igoe | Patten, N. Y. |
| Aiken | Dixon | Johnson, S. C. | Patton, Pa. |
| Ainey | Dooling | Keister | Peters |
| Ansberry | Doolittle | Kelley, Mich. | Peterson |
| Anthony | Doremus | Kennedy, Conn. | Phelan |
| Aswell | Dunn | Kennedy, R. I. | Plumley |
| Austin | Eagan | Kent | Porter |
| Baker | Eagle | Key, Ohio | Powers |
| Baltz | Edmonds | Kiess, Pa. | Ragsdale |
| Barchfeld | Elder | Kinkead, N. J. | Rainey |
| Barkley | Esch | Kirkpatrick | Riordan |
| Bartholdt | Estopinal | Knowland, J. R. | Rothermel |
| Bartlett | Fairchild | Konop | Rubey |
| Bathrick | Falson | Kreider | Russell |
| Beall, Tex. | Farr | Lafferty | Sabath |
| Bell, Ga. | Fess | Langham | Saunders |
| Brockson | Finley | Langley | Scully |
| Brodbeck | Fitzgerald | Lazaro | Sekdomridge |
| Brown, N. Y. | Flood, Va. | L'Engle | Sells |
| Browne, Wis. | Fordney | Lenroot | Shackleford |
| Browning | Foster | Lever | Sherley |
| Bruckner | Francis | Levy | Sherwood |
| Brumbaugh | Gallivan | Lewis, Pa. | Shreve |
| Bulkley | Gard | Lindbergh | Slemp |
| Burke, Pa. | Gardner | Lindquist | Smith, Md. |
| Butler | George | Loft | Smith, N. Y. |
| Byrnes, S. C. | Gerry | McAndrews | Stanley |
| Calder | Gill | McGillicuddy | Steenerson |
| Callaway | Gillett | McGuire, Okla. | Stephens, Miss. |
| Campbell | Gittins | McKenzie | Stevens, Minn. |
| Candler, Miss. | Glass | Madden | Stout |
| Cantor | Goldfogle | Mahan | Stringer |
| Cantrill | Gorman | Maher | Switzer |
| Carew | Graham, Ill. | Martin | Ten Eyck |
| Carlin | Graham, Pa. | Merritt | Thacher |
| Carter | Green, Iowa | Metz | Townsend |
| Chandler, N. Y. | Griest | Miller | Treadway |
| Church | Griffin | Moore | Underhill |
| Clancy | Guernsey | Morgan, La. | Vare |
| Collier | Hamill | Morin | Vollmer |
| Connolly, Iowa | Hamilton, Mich. | Mott | Walker |
| Conry | Hamilton, N. Y. | Murdock | Wallin |
| Cooper | Harris | Murray, Mass. | Walsh |
| Copley | Hart | Neeley, Kans. | Walters |
| Covington | Hayes | Nelson | Watkins |
| Cramton | Helgesen | Nolan, J. I. | Whaley |
| Crisp | Hensley | O'Brien | Whitacre |
| Dale | Hinds | O'Hair | White |
| Davis | Hobson | O'Leary | Willis |
| Decker | Holland | O'Shaunessy | Wilson, N. Y. |
| Dickinson | Hoxworth | Padgett | Winslow |
| Dies | Hughes, W. Va. | Palmer | Woodruff |
| Difenderfer | Hulings | Parker | Young, Tex. |

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. KENNEDY of Rhode Island (to recommit) with Mr. COPLEY (against).

Until further notice:

Mr. RAINEY with Mr. NELSON.

Mr. RUSSELL with Mr. LA FOLLETTE.

Mr. DIES with Mr. BARCHFELD.

Mr. FINLEY with Mr. AUSTIN.

Mr. THACHER with Mr. KELLEY of Michigan.

Mr. TEN EYCK with Mr. HELGESEN.

Mr. DECKER with Mr. SHREVE.

Mr. DIFENDERFER with Mr. STEVENS of Minnesota.

Mr. FERRIS. Mr. Speaker, I move that writs be issued for the absent Members and that they be brought in.

The motion was agreed to.

The SPEAKER. The writs are issued for these absentees, and the Chair desires the Sergeant at Arms to bring them in here. The men who stay here and try to transact the business of this House have an absolute right to have a quorum here, and those who are absent are not treating the House right and are not treating the people of the United States right, especially those Members who are lolling around town and are not home for any reason. [Applause.] The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he voted "nay," as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

DISTRICT OF COLUMBIA BUSINESS.

Mr. JOHNSON of Kentucky. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Kentucky. Mr. Speaker, on the House Calendar is the bill H. R. 13219. I wish to inquire of the Speaker whether or not that bill is on the proper calendar?

The SPEAKER. The Chair has examined the bill carefully and thinks it ought to be on the Union Calendar, and it will be so transferred.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 92, noes 5.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of District legislation, with Mr. WINGO in the chair.

ALLEY DWELLINGS IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Chairman, I desire to call up the bill H. R. 13219.

Mr. BURNETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BURNETT. I believe when the committee arose before the Plaza bill was the unfinished business. I would like to make a parliamentary inquiry in order to find out if anything else can displace that.

Mr. JOHNSON of Kentucky. I will say, Mr. Chairman, that the previous question had not been ordered on the bill, and therefore it is not unfinished business.

Mr. BURNETT. The general debate, I think, only lacked 40 minutes of being concluded. I remember there was some reservation of time by the gentleman from Illinois [Mr. MANN] and the gentleman from Pennsylvania [Mr. LOGUE], and when the committee rose it reported that no resolution had been reached, and District business was the business that was on at that time.

Mr. JOHNSON of Kentucky. If the Chair will look at the unfinished business calendar he will see that this Plaza bill is not on it, and the rule is that until the previous question has been ordered it is unfinished business. The previous question was not ordered the last time, and therefore it is not unfinished business.

Mr. MANN. The Chair will note under the head of "Unfinished business," on page 11, that the first on the calendar is "S. J. Res. 129, Plaza award resolution. (Pending in the Committee of the Whole House on the state of the Union, July 13, 1914.)"

The gentleman from Kentucky was mistaken in thinking that this was not on the calendar under the head of unfinished business.

Mr. JOHNSON of Kentucky. The previous question had not been ordered.

Mr. MANN. Of course, Mr. Chairman, the previous question could not have been ordered in the Committee of the Whole House on the state of the Union, but a unanimous-consent agreement was entered into in that committee, which is binding on the committee, fixing the time for further general debate in the committee. That was an agreement by unanimous consent.

Mr. JOHNSON of Kentucky. That is all true, but there has been no agreement to take it up. There is nothing binding on the committee as to what it shall or shall not take up.

Mr. MANN. But there was an agreement by unanimous consent.

Mr. JOHNSON of Kentucky. And when the bill did come up there was to be 40 minutes debate on it, 20 minutes on a side. That is the extent of the agreement.

Mr. MANN. The agreement was that on the next District day there should be 40 minutes' debate on the bill. That was a unanimous-consent agreement. I gathered it from reading the RECORD.

The CHAIRMAN. The Chair is ready to rule if nobody else desires to be heard. The Chair will read from section 865, page 387 of the Manual:

Business unfinished when the Committee of the Whole rises remains unfinished, to be considered first in order when the House next goes into Committee of the Whole to consider that business.

Under that the Chair is of the opinion that the Senate joint resolution 129 is the unfinished business. It is on the Calendar for Unfinished Business, and the Chair is of the opinion that the unfinished business can not be set aside by the chairman calling up another bill.

Mr. CULLOP. Mr. Chairman, what is the status of the pending resolution as the unfinished business?

Mr. JOHNSON of Kentucky. Mr. Chairman, if the gentleman will pardon me a moment, I have not made a motion to go into committee for the purpose of considering that particular bill.

The CHAIRMAN. The motion of the gentleman was to go into the Committee of the Whole to consider District business.

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. It occurs to me, Mr. Chairman, that if the chairman of the Committee on the District of Columbia had made a motion to go into Committee of the Whole House on the state of the Union for the consideration of a specific bill and the House had so ordered, then that particular bill would be considered by the consent of the House; but in the absence of any specific indication of the particular legislation to be considered, it would seem that the unfinished business would have the first call. But would it be too late now for the chairman of the Committee on the District of Columbia to submit to the pleasure of the House the question as to whether the House should consider the alley bill or the unfinished business at the time of the last sitting of the committee? It is a question, it seems to me, that is for the House itself to determine in its judgment whether it would lay the unfinished business aside or take up this particular bill.

The CHAIRMAN. The Chair is of the opinion that the motion being general, simply to take up District bills, the rule regarding unfinished business would operate, and for that reason the Chair sees no way of getting around its consideration now, unless——

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee take up for consideration the bill (H. R. 13219) to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia.

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] moves that the committee take up the bill H. R. 13219 in lieu of the unfinished business. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. CLAYPOOL. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 52, noes 17.

So the motion was agreed to.

The CHAIRMAN. The Clerk will report the bill H. R. 13219.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. MANN. I object.

The CHAIRMAN. The bill has not yet been reported. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13219) to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia.

*Be it enacted, etc.*, That after the expiration of 10 years after the passage of this act, no person shall occupy as a dwelling, and no person, partnership, association, or corporation, having the authority and power to prevent, shall permit to be occupied as a dwelling any building in any alley in the District of Columbia.

SEC. 2. That the Commissioners of the District of Columbia be, and they are hereby, authorized to acquire in the name of said District ownership in fee simple of such real property as in the judgment of said commissioners is needed for the conversion of any inhabited alley in said District into a street not less than 40 feet wide from building line or building lines, whenever in the judgment of said commissioners the public welfare requires such conversion, and to acquire like ownership of such other real property in the square in which such alley is located as in the judgment of said commissioners may be necessary for the public welfare, for the laying out on such street of lots in size and shape suitable for residential and business purposes, having due regard, however, to the preservation of the availability for residential and business purposes of all lots and portions of lots in said square which are not acquired by said commissioners.

Mr. RAKER rose.

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. RAKER. I ask unanimous consent that the first reading of the part of the bill that is stricken out be dispensed with and that the substitute be read in lieu of it.

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent that the reading of that portion of the bill which is stricken out be dispensed with and that the substitute be read in lieu of it. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Chairman, I wish to make the observation that in order to understand the substitute it is necessary that the Members should listen to the reading of the original bill. There do not seem to be many doing it. I object, and make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois objects, and makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and one Members are present—a quorum. The Clerk will read.

The Clerk resumed the reading of the bill, as follows:

SEC. 3. That all proceedings for acquiring ownership of any real property in the District of Columbia under the provisions of this act, except as herein otherwise provided, shall be under and in accordance with the provisions of sections 1608 to 1612, inclusive, of the Code of Law for said District, which are hereby extended and made applicable to the purposes of this act: *Provided, first*, That the plat filed by the Commissioners of said District to show the real property which it is desired to acquire shall show all streets, alleys, and lots which it is proposed to lay out, if such property be acquired, and the petition filed by said commissioners shall set forth in exact terms the restrictions, if any, that said commissioners propose to put upon the future use of the lots, if any, to be thus laid out; and such lots and restrictions as to the use thereof shall not thereafter be varied except as may be authorized by the court before which the cause is tried, on the application of said commissioners, or as may be expressly authorized by law: *Provided, second*, That in any condemnation proceedings for carrying out the provisions of this act assessments for benefits may be made against any and all real property in said District, wherever situated, that the jury finds as a matter of fact to be actually benefited and to the extent that the jury finds such benefit: *And provided, third*, That the amount assessed under this section as benefits shall be not less than one-half of the balance remaining after subtracting from the total damages as determined under the provisions of the Code of Law for the District of Columbia, plus the cost of the condemnation proceedings, an amount equal to the value of all of the land acquired by the District of Columbia for subdivision into lots as hereinafter provided, the value of such land to be determined upon the basis of the amount awarded the owners thereof, by the jury of condemnation; and the amount not assessed as benefits shall be paid from such appropriations and in such manner as Congress may from time to time by law direct.

SEC. 4. That the Commissioners of the District of Columbia, having acquired the ownership of any real property in said District under the provisions of sections 2 and 3 of this act, shall cause the land to be laid out so as to establish a street or streets not less than 40 feet wide, each such street to run straight through the square from one of the streets bounding said square to another, and shall cause such alleys, if any, to be laid out as are necessary in the judgment of said commissioners for the convenient service of all lots in said square. And the land remaining after the laying out of such streets and alleys shall be subdivided by said commissioners into lots of sizes convenient for the erection of buildings for residential or business purposes, subject, however, to such restrictions concerning the use of said lots as said commissioners shall deem expedient for the public welfare. Whenever after the making of any such subdivision it appears to said commissioners to be to the interest of the District of Columbia to sell any lot or lots so laid out, or any construction thereon, or both, said commissioners shall give public notice of their intention so to do, by publishing such notice at least three times at intervals of not less than 5 nor more than 10 days in one or more daily newspapers of general circulation in said District, and by posting a notice of like purport on each lot which, or the construction thereon, is offered for sale, which said notice shall show when and where bids will be received; and said commissioners are hereby authorized to fix the form of such bids and to prescribe the amount that shall be deposited with each bid; and said commissioners may reject any and all bids received by them at any bidding and may readvertise for sale any lot or lots, or any construction thereon, to which said rejected bid or bids pertain. Any sale or sales aforesaid may be either for all cash, or payment may be made part in cash and the remainder in deferred payments secured by a deed or deeds of trust upon the property sold, as said commissioners may deem most advantageous to the District of Columbia; and in event of the sale of any lot or lots, said commissioners may in the name of the District of Columbia execute any and all such conveyances as may be necessary to convey a valid title to the purchaser. Pending the sale of any lot or lots, and of any constructions thereon, said commissioners shall manage the same as seems to them to the best interest of said District and to that end may lease the same upon such terms as to them seems proper, and may execute all such conveyances as may be necessary for that purpose. But each conveyance executed by said commissioners under authority of this section, whether of sale or of lease, shall embody all such covenants as may be necessary to impose upon the lot or lots, and upon any construction thereon, to which said conveyance relates, each and every restriction set forth in the petition on which such lot or lots, and the constructions thereon, were condemned, as such restrictions were varied, if at all, by the court before which the case was tried. All moneys payable on account of the sale, lease, or other disposition by said commissioners of any lot or lots, or of any construction thereon, shall be paid to the collector of taxes of the District of Columbia, and be by said collector deposited in the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

SEC. 5. That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed immediately after the passage of this act to proceed to prohibit the use as places of dwelling of all buildings situated in particular alleys, to be selected and designated by said commissioners, so as to displace annually from the alleys of said District persons residing therein equal in number to one-tenth of the number of persons dwelling in all the alleys of said District at the time of the passage of this act as determined by the most recent police census at that time, and so as to displace as many more of such persons

as in the judgment of said commissioners can be displaced without overcrowding buildings elsewhere in said District.

SEC. 6. That before prohibiting the use as places of dwelling of the buildings situated in any alley in the District of Columbia, the Commissioners of said District shall notify every owner of real property in the square in which such alley is situated and every lessee of every building used for dwelling purposes in such alley of the intention of said commissioners so to do and shall in the notice thus given appoint a time and place when and where such owners and lessees will be heard by said commissioners and given an opportunity to show cause, if there be any, why the use of such buildings as places of dwelling should not be prohibited. And if at the time and place thus appointed, or at such subsequent time and other place as said commissioners may appoint, no such cause be shown, then said commissioners shall prohibit the use of such buildings as places of dwelling after the expiration of a period of time specified by said commissioners; but upon sufficient cause being shown to the satisfaction of said commissioners, said commissioners may postpone such prohibition of the use of said alley for dwelling purposes, but not so as to sanction its use for such purposes beyond the period named in section 1 of this act nor so as to reduce the rate of the depopulation of alleys below the rate specified in section 5 hereof.

SEC. 7. That if the Commissioners of the District of Columbia agree with the owner of any building used as a dwelling at the time of the passage of this act and the use of which as a dwelling is forbidden by said commissioners pursuant to the provisions of said act, as to the fact that said building is substantially depreciated in value by reason of such prohibition and as to the extent of such depreciation, said commissioners may in their discretion pay to said owner the amount thus determined and agreed upon from any appropriation that may be available for that purpose, and all further claim of said owner and of those who may thereafter hold under him shall cease and determine.

SEC. 8. That the owner or owners of any building in any alley in the District of Columbia, the use of which as a place of dwelling is prohibited under the provisions of this act, which said building was at the time of such prohibition used for dwelling purposes, and whose right to compensation has not been barred under section 7 of this act, may within six months from the date of the order of prohibition if he was in the first instance served personally with notice of the proposed issue of such order, and otherwise within one year, institute by petition proceedings in the Supreme Court of said District, sitting as a district court, against the District of Columbia, through the Commissioners of said District, for the determination of the damages, if any, to said building resulting from the prohibition of its further use as a dwelling and for the award of judgment against said District for the amount of such damage; and said court is hereby given full authority and power to hear and determine such causes and to issue such orders and decrees as may be necessary to that end and to enforce its orders and decrees with respect thereto, subject to such appeal as is authorized by law in similar causes. It shall be lawful for all or any part of the total number of owners of buildings used as dwellings in any alley the use of which as dwellings has been prohibited to unite in one proceeding under this section. If said commissioners are of opinion that the prohibition of the use of the buildings in said alley as a place of dwelling will materially enhance the value of certain real estate in said District so as to render such real property equitably liable to assessment because of such prohibition, said commissioners may, in their answer to the petition filed as hereinbefore authorized, pray that the owner or owners of such real estate believed to be so benefited be made codefendants with the District of Columbia to said cause, and said owner or owners shall be made codefendants accordingly.

Upon the filing of any answer by the Commissioners of the District of Columbia praying that the owner or owners of certain real estate in said District, named or otherwise sufficiently described in said answer, be made codefendant with said District in any proceedings instituted under the provisions of this act, the court shall cause such owner or owners and all other persons having any interest in the proceedings to be warned personally or by advertisement, as said court may determine, to attend court at a day to be named in said notice and to continue in attendance until the court makes its final order ratifying and confirming the award of damages and the assessment of benefits by the jury.

SEC. 9. That after the return of the marshal and the filing of proof of publication of the notice provided for in section 8, said court shall cause a jury of five judicious, disinterested men, not related to any person interested in the proceedings and not in the service or employment of the District of Columbia or of the United States, to be summoned by said marshal, to which jurors said court shall administer an oath or affirmation that they are not interested in any manner in any building the right to use which for dwelling purposes has been or is liable to be forbidden under the provisions of this act, nor in any way related to any of the parties to said proceeding, and that they will, without favor or partiality, to the best of their judgment, award the damage, if any, to which the owner of any building has been or will be subjected by reason of the prohibition of its use as a place of dwelling and assess the benefits that will result to owners of other real estate by reason of such prohibition. The court before accepting the jury shall hear any objections that may be made to any member thereof and shall have full power to decide upon all such objections, to excuse any juror, and to cause any vacancy in the jury, however such vacancy may occur, when impaneled, to be filled. And after the jury has been organized and has viewed the premises, said jury shall proceed to hear and receive such evidence as may be offered or submitted on behalf of any person or persons having an interest in the proceedings, and on behalf of the District of Columbia; but such hearings need not be in the presence of the court unless the court so direct, but may be in any room assigned to them by the United States marshal for said District, who, in person or by deputy, shall attend all such hearings. When the hearings are concluded, the jury, or a majority of them, shall in writing return to said court its verdict, awarding damages due and payable for loss sustained by the owner of any building a party to the proceeding by reason of the prohibiting of the use for dwelling purposes of the alley in which said building is located, if any damages be found and adjudged, and assessing benefits accruing and assessable on other real property by reason of such prohibition. Each juror shall receive $5 per day for his services during the time he is actually engaged under the provisions hereof.

SEC. 10. That the court shall have power to hear and determine any objections which may be filed to said verdict and to set aside or to vacate the same in whole or in part, if satisfied that said verdict is unjust or unreasonable. If such verdict be set aside or vacated, in whole or in part, a new jury, having the qualifications hereinbefore mentioned, shall be summoned, who shall proceed to award damages and to assess the benefits, as the case may be, in respect to the real property as to which the verdict has been vacated, as in the case of the first jury: *Provided*, That the exceptions or objections to the verdict shall be filed within 30 days from the filing thereof: *Provided further*, That if the court is satisfied that part of the verdict should be set aside or vacated, then and in that event, at the election of the Commissioners of the District of Columbia, the court shall set aside and vacate the entire verdict and a new jury shall be summoned in the case as aforesaid. If said commissioners do not elect that the entire verdict be set aside, and the same be set aside or vacated in part, the residue of the verdict shall not be affected thereby. The verdict of a new jury summoned in accordance with the provisions of this section shall be final; and if the amount of damages awarded by any new jury summoned be not greater, or if the assessments of benefits be not less, than the amount awarded or assessed by the jury first summoned, according as the objection to the verdict may have been to the award of damages or the assessment of benefits, the costs of the new jury shall be assessed against the property of the party or parties objecting; but if such party or parties prevail by the verdict of the new jury, either in increasing his or their award of damages or in diminishing his or their assessment for benefits, then and in that event the cost of the new jury shall be paid by the District of Columbia.

SEC. 11. That the jury shall award as damages such amount as the jury may find to represent the depreciation in the value of each and every premises arising out of the prohibition of the use of such premises as a place of dwelling, and shall assess as benefits only the actual increase in the value of any premises arising out of the prohibition of the use of any alley as a place of residence, as determined by the jury. And should the amount awarded as damages, plus the costs of the proceedings, including $5 a day for the marshal and for each juror when actually employed, exceed the amount assessed as benefits, the difference shall be chargeable to such appropriations and in such manner as Congress may from time to time direct: *Provided*, That when the verdict of the jury shall have been finally ratified and confirmed by the court, as herein provided, the amounts of money awarded as damages shall be paid to such owner or owners in the manner provided by law, out of any funds available therefor. And when the verdict of the jury has been finally ratified and confirmed by the court, as herein provided, the several assessments herein provided to be made shall severally be a lien upon the land against which they are assessed, and shall be collected as special improvement taxes in the District of Columbia. Such assessments shall be payable in four equal annual installments, with interest at the rate of 4 per cent per annum from and after 60 days after the date of final confirmation of the verdict and until paid.

SEC. 12. That the court may allow amendments in form or in substance in any description of property affected or liable to be affected by any proceedings instituted under the provisions of sections 8 to 11, inclusive, of this act, whenever such amendments will not interfere with the substantial rights of the parties interested; and any such amendment may be made after, as well as before, the order or judgment confirming the verdict aforesaid.

SEC. 13. That no appeal from the decision of the Supreme Court of the District of Columbia confirming any verdict of any jury appointed under the provisions of this act, nor any other proceeding at law or in equity against the confirmation of such verdict or against the confirmation of any part thereof, shall delay or prevent the payment of awards to others in respect to property damaged, nor operate to delay or prevent any criminal proceedings under the provisions of this act.

SEC. 14. That whenever the Commissioners of the District of Columbia prohibit the use of the buildings in any alley as places of dwelling, said commissioners shall notify of such prohibition the owners of all such buildings then used as places of dwelling in said alley and all lessees of such buildings, and said commissioners shall cause conspicuous signs to be displayed at prominent places in said alley, stating when the use of said buildings as places of dwelling must be discontinued. After the expiration of the period stated in the notices thus given and on the signs thus displayed no person shall occupy any building in said alley for dwelling purposes, nor shall any person having the power and authority to prevent permit any such building to be occupied for such purposes. No person shall, without the consent of the commissioners, deface, obliterate, remove, or conceal any sign displayed by said commissioners under authority of this act. Any person violating any of the provisions of this section shall be punished as provided in section 23 of this act.

Mr. MANN. Mr. Chairman, I notice that there are not 30 Members on the floor of the House, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] Forty-four Members are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

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|---|---|---|---|
| Adair | Callaway | Dixon | Gerry |
| Aiken | Campbell | Dooling | Gill |
| Ainey | Candler, Miss. | Doolittle | Gillett |
| Ansberry | Cantor | Doremus | Glass |
| Anthony | Cantrill | Driscoll | Godwin, N. C. |
| Aswell | Carew | Dunn | Goeke |
| Austin | Carlin | Eagan | Goldfogle |
| Baker | Carr | Eagle | Gorman |
| Baltz | Carter | Edmonds | Graham, Ill. |
| Barchfeld | Chandler, N. Y. | Elder | Graham, Pa. |
| Bartholdt | Church | Esch | Green, Iowa |
| Bathrick | Clancy | Estopinal | Greene, Mass. |
| Beall, Tex. | Collier | Fairchild | Gregg |
| Bell, Ga. | Connolly, Iowa | Faison | Griest |
| Brockson | Conry | Farr | Griffin |
| Brodbeck | Cooper | Fess | Gudger |
| Brown, N. Y. | Copley | Fields | Guernsey |
| Brown, W. Va. | Covington | Finley | Hamill |
| Browne, Wis. | Cramton | Fitzgerald | Hamilton, Mich. |
| Browning | Crisp | Flood, Va. | Hamilton, N. Y. |
| Bruckner | Dale | Fordney | Harrison |
| Brumbaugh | Davis | Foster | Hart |
| Bulkley | Decker | French | Hay |
| Burke, Pa. | Dickinson | Gallivan | Hayes |
| Butler | Dies | Gard | Helgesen |
| Byrnes, S. C. | Difenderfer | Gardner | Helvering |
| Calder | Dillon | George | Hensley |

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|---|---|---|---|
| Hill | Lever | O'Hair | Smith, Md. |
| Hinds | Levy | Oldfield | Smith, Minn. |
| Hobson | Lewis, Pa. | O'Leary | Smith, N. Y. |
| Holland | Lindbergh | Padgett | Stanley |
| Howard | Lindquist | Palmer | Steenerson |
| Hoxworth | Loft | Parker | Stephens, Miss. |
| Hughes, Ga. | McAndrews | Patten, N. Y. | Stout |
| Hughes, W. Va. | McCoy | Patton, Pa. | Stringer |
| Hulings | McGillicuddy | Payne | Switzer |
| Humphrey, Wash. | McGuire, Okla. | Peters | Talbott, Md. |
| Humphreys, Miss. | McKenzie | Peterson | Temple |
| Igoe | McLaughlin | Phelan | Ten Eyck |
| Johnson, S. C. | Madden | Plumley | Thacher |
| Jones | Mahan | Porter | Townsend |
| Kelster | Maher | Powers | Treadway |
| Kelley, Mich. | Manahan | Prouty | Tribble |
| Kennedy, Conn. | Martin | Ragsdale | Underhill |
| Kennedy, R. I. | Merritt | Rainey | Vare |
| Kent | Metz | Riordan | Vollmer |
| Key, Ohio | Miller | Rothermel | Walker |
| Kiess, Pa. | Mondell | Rubey | Wallin |
| Kinkead, N. J. | Montague | Rupley | Walters |
| Kirkpatrick | Moore | Russell | Watkins |
| Knowland, J. R. | Morgan, La. | Sabath | Webb |
| Konop | Morin | Saunders | Whaley |
| Kreider | Mott | Scully | Whitacre |
| Lafferty | Murdock | Seldomridge | White |
| Langham | Murray, Mass. | Sells | Willis |
| Langley | Neeley, Kans. | Shackleford | Wilson, N. Y. |
| Lazaro | Nelson | Sherley | Winslow |
| Lee, Ga. | Nolan, J. I. | Sherwood | Woodruff |
| L'Engle | Norton | Shreve | Young, N. Dak. |
| Lenroot | O'Brien | Sinnott | |

The Committee accordingly rose; and the Speaker having resumed the chair, Mr. WINGO, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 13219) to provide, in the interest of public health, comfort, morals, and safety, for the discontinuonce of the use as dwellings of buildings situated in the alleys in the District of Columbia, finding itself without a quorum, he caused the roll to be called, whereupon 192 Members answered to their names, and he presented a list of the absentees to be inserted in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

SEC. 15. That no contract for the use and occupancy as a dwelling of any building in any alley in the District of Columbia, the use of which building for dwelling purposes has been forbidden under authority of this act, shall be valid, nor shall any consideration of any kind be enforced or collected upon any such contract. And notwithstanding any agreement between the owner of any such building and the occupant thereof, it shall be lawful for said owner at any time to close it effectually against the ingress or egress of any and all persons occupying or attempting to occupy said premises for dwelling purposes.

SEC. 16. That the owner of each and every unoccupied building in the District of Columbia shall keep said building and all land and premises appurtenant thereto clean; in such repair as not to jeopardize the life, limb, or health of passers by, or of persons dwelling, doing business, or lawfully assembling in the vicinity, or of persons lawfully entering upon the premises; and in the case of buildings or inclosed yards, securely closed against entrance by persons not authorized by said owner to enter.

SEC. 17. That if the use as a place of dwelling of any alley in the District of Columbia has been prohibited, and the owner of any real property abutting on said alley and formerly occupied as a dwelling desires to transfer such property to the owner of adjacent land abutting on one of the streets or avenues bounding the square in which such alley is located, or desires himself to acquire title to such adjacent land, so as to make said alley property and said street property one continuous area; and if by reason of a public alley between the alley property and the street property said owner be prevented from doing so; then and in that event the Commissioners of said District may in their discretion sell, and they are hereby authorized so to do, to the owner of such alley property or of such street property so much of such public alley as may be necessary to permit the conversion of both into a single continuous tract, subject to such restrictions as in the judgment of said commissioners the public welfare may require, at a price per square foot not less than the mean between the assessed value per square foot of the land abutting upon the street and the land abutting upon the alley, which land the sale is designed to unite; and said commissioners are hereby authorized to execute in the name of the United States or in the name of the District of Columbia, as the circumstances may require, all such conveyances as may be necessary to convey a valid title to the purchaser, each conveyance so executed, however, to embody all such covenants as may be necessary to impose upon the land sold and upon the lots united by the sale of such land all such restrictions as have been determined upon by said commissioners: *Provided*, That no such sale of any part of a public alley shall be made unless in the judgment of said commissioners it can be made without interfering with the effectiveness of the alleys in said square for the service of all premises situated therein. And any money payable on account of the sale of any such part, or of the whole, of any public alley under the provisions of this act shall be paid to the collector of taxes of the District of Columbia and shall be by him deposited in the Treasury of the United States to the credit of the United States or of the District of Columbia, or of both, as their respective interests may appear.

SEC. 18. That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to report to Congress annually, and as much oftener as in their judgment may be expedient, the progress of their operations under this act, and to submit drafts of such further legislation, if any, as in their judgment may be necessary to carry into effect the true purpose and intent of this act within the time specified herein.

SEC. 19. That for the purposes of this act, the word "alley" shall be held to mean any thoroughfare, by whatsoever name it may be known, and whether public or private, the roadway of which is less than 30 feet wide in its narrowest place, measured in the most direct line, and the shortest distance between the building lines on the opposite sides of which is less than 40 feet, and which said thoroughfare does not run straight through and open directly upon a street, avenue, or road of dimensions not less than those herein specified. The word "dwelling" shall be held to mean any structure or part of any structure commonly occupied by one or more persons for sleeping purposes, and the occupying of any structure or part of a structure in the nighttime shall be prima facie evidence of occupying the same as a dwelling. A building shall be regarded as situated in an alley if the ordinary mode of ingress and egress of the occupants thereof is through an alley.

SEC. 20. That any notice required by this act to be served shall be deemed to have been served if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with any person of suitable age and discretion then resident or employed therein; or if no such residence or place of business can be found in the District of Columbia by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty whatsoever with reference to the real property to which said notice relates; or if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section is returned by the post-office authorities, then if published three times at intervals of five days in a daily newspaper of general circulation published in said District; or if by reason of an outstanding unrecorded transfer of title, the name of the owner in fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice to a corporation shall, for the purposes of this act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of said corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own rights. Any notice to a foreign corporation shall, for the purposes of this act, be deemed to have been served if served on an agent of such corporation personally or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in said District.

SEC. 21. That whenever the title to any premises or part of any premises in any alley in the District of Columbia the use of which as a place of dwelling is to be or has been forbidden under authority of this act is in litigation, the commissioners of said District shall notify all parties to the suit and through the corporation counsel of said District shall bring the circumstances to the attention of the court in which such litigation is pending, for the purpose of obtaining such orders or decrees as will enable said commissioners to continue such proceedings as may be necessary to prevent the use and occupancy of said building as a place for dwelling; and said court is hereby authorized to make such orders and decrees in such pending suit as may be necessary for that purpose.

SEC. 22. That whenever the title to any building or part of building is vested in a person non compos mentis, or a minor child or minor children without legal guardian, the Commissioners of the District of Columbia shall report that fact, through the corporation counsel, to the Supreme Court of said District and obtain the appointment of a guardian or guardians for such person non compos mentis, or minor child or children aforesaid, for the purpose of the proceedings authorized by this act. Any justice of the Supreme Court of said District, holding an equity court, is hereby authorized to appoint a guardian or guardians for that purpose.

SEC. 23. That any person violating any of the provisions of this act, or aiding or abetting in the violation thereof, shall, upon conviction thereof, be punished by a fine of not more than $500, or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 24. That prosecutions under this act shall be in the police court of the District of Columbia, upon information signed by the corporation counsel of said District, or by one of his assistants.

SEC. 25. That all acts and parts of acts contrary to the provisions of this act or inconsistent therewith be, and the same are hereby, repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That from and after the passage of this act it shall be unlawful in the District of Columbia to erect, place, or construct any dwelling on any lot or parcel of ground fronting on an alley where such alley is less than 30 feet wide throughout its entire length and which does not run straight to and open on two of the streets bordering the square, and is not supplied with sewer, water mains, and gas or electric light; and in this act the term "alley" shall include any and all courts, passages, and thoroughfares, whether public or private, and any ground intended for or used as a highway other than the public streets or avenues; and any dwelling house now fronting an alley less than 30 feet wide and not extending straight to the streets and provided with sewer, water main, and light, as aforesaid, which has depreciated or been damaged more than one-half its original value, shall not be repaired or reconstructed as a dwelling or for use as such, and no permit shall be issued for the alteration, repair, or reconstruction of such a building when the plans indicate any provision for dwelling purposes: *Provided*, That rooms for grooms or stablemen to be employed in the building to be erected, repaired, or reconstructed may be allowed over stables when the means of exit and safeguards against fire are sufficient, in the opinion of the inspector of buildings, subject to the approval of the Commissioners of the District of Columbia; and no building now or hereafter erected fronting on an alley or on any parcel of ground fronting on an alley less than 30 feet wide and not otherwise in accordance with this act shall be altered or converted to the uses of a dwelling. Any such alley house depreciated or damaged more than one-half of its original value shall be condemned as provided by law for the removal of dangerous or unsafe buildings and parts thereof, and for other purposes. No dwelling house hereafter erected or placed along any alley and fronting or facing thereon shall in any case be located less than 20 feet back clear of the center line of such alley, so as to give at least a 30-foot roadway and 5 feet on each side of such roadway clear for a walk or footway, and any stable

or other building hereafter placed, located, altered, or erected on or along such an alley upon which a dwelling faces or fronts shall be set back clear of the walk or footway the same as the dwelling or dwellings, but the fact that dwellings are located in such alleys shall not affect the location of stables or other buildings otherwise.

"The use or occupation of any building or other structure erected or placed on or along any such alley as a dwelling or residence or place of abode by any person or persons is hereby declared injurious to life, to public health, morals, safety, and welfare of said District; and such use or occupation of any such building or other structure on, from, and after the 1st day of July, 1918, shall be unlawful.

"SEC. 2. That any person or persons, whether as principal, agent, or employee, violating any of the provisions of this act, or any amendment thereof, for the violation of which no other penalty is prescribed, shall, on conviction thereof in the police court, be punished by a fine of not less than $10 nor more than $100 for each such violation and a like fine for each day during which such violation has continued or may continue, to be recovered as other fines and penalties are recovered

"SEC. 3. That the act of Congress approved July 22, 1892, entitled 'An act regulating the construction of buildings along alleyways in the District of Columbia,' and all laws or parts of laws inconsistent with the provisions hereof, are hereby repealed."

Mr. JOHNSON of Kentucky. Mr. Chairman, let the bill be read for amendment.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. MANN. Not yet.

The CHAIRMAN. Does the gentleman from Illinois desire to be recognized for general debate?

Mr. MANN. I do.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, I suppose no one will disagree with the good people who desire to abolish the alley evil or to stop the use of improper dwellings, whether they be located upon alleys or streets. How much necessity there may be for legislation or improvement in this respect in the District of Columbia I would not pretend to know as well as some of those gentlemen who favor the provisions of this bill; but it seems to me that the House ought not hastily and without consideration to pass a bill that is sure to involve the Government in the payment of private claims for many years to come in some unknown but certainly large amounts. To-day we set aside temporarily the consideration of the plaza-award cases in order to take up this bill. Those are claims which people now have who say they can not get their money, not being legally entitled to it. I am not making any criticism of postponing the consideration of that bill to take this up, but it is an illustration of the fact that the Government is slow about paying those claims which are not legal claims. The Government is very prompt to pay legal claims.

The original bill in this case now before us, covering some 22 pages, carefully drawn, provided a method of ascertaining and paying the damages which would be inflicted upon the owners of private property by the proposed legislation.

What is the proposition? It is that an alley must be 30 feet wide before any dwelling can be placed upon it or anyone live in a house upon the alley. That is the general proposition. There are a good many alleys less than 30 feet wide which are used for dwellings in the city of Washington and a good many other cities. It used to be and still is a not unusual practice in the city from which I come for a man to buy a not very expensive lot and build a building upon the rear of the lot, on the alley, because he did not have the means to build a permanent home. In the course of time, as he accumulated a little more money or credit, he built a home on the front of the lot. Now, this bill proposes practically to seize all of the alley property in the District of Columbia, to abolish all the dwellings upon alleys in the District of Columbia, to forbid the erection of any dwelling hereafter upon any alley in the District of Columbia. When I say alley, it includes everything up to the width of 30 feet, including courts, private passageways, or any other form of highway. The original bill, introduced by the gentleman from Kentucky [Mr. JOHNSON] at the request of the Commissioners of the District of Columbia, made provision for the payment of the damages, and provided that the District Commissioners might order the closing as a dwelling place of any alley; and if any claims for damages were made by the owners of the property there, then the District Commissioners should bring in all of the owners of property in the square, and a jury should be appointed who should assess the damages and the benefits, the purpose being to provide a method by which the damages to those owners whose property was practically taken away from them should be ascertained, and to assess the benefits to other property arising from the closing of the alley as a dwelling place.

I do not propose at this time to discuss fully the original bill, covering, as I say, 22 pages, which was endeavored to be carefully worked out so that for that property which we practically seized the owner should be compensated for the damage and the damage assessed upon the owners of the property benefited. But along comes the substitute reported by the committee—and I do not think the committee are to be charged with any responsibility in connection with the substitute. The committee found themselves where they desired to report as a substitute a bill in the exact language of the bill which has passed the Senate. But the substitute proposes practically to seize the property, to forbid its use, and to make no payment for the damages. Now, while we could not actually take the property of a private individual, under the Constitution, without at least being liable for its value, still we can through legislation destroy the value of property without any legal liability; but Congress is not a body which can destroy property without a moral liability, nor from my observation and experience do I think it is a body which can withstand or which ought to withstand the claims that will be made by those whose property is taken from them, to be recompensed by the General Treasury. The original bill provided that after the raising of money by special assessment on property which was benefited, if any excess of damage remained it should be paid, one-half out of the District treasury and one-half out of the Federal Treasury. The substitute, which makes no provision for the payment of claims at all, of course will result in the claims being brought before Congress for the entire amount to be paid out of the Federal Treasury. The whole theory of the original bill is the admission that damages will accrue to private owners of property located upon these alleys. The bill authorizes condemnation proceedings. It provides for the method of payment. For instance, in reference to the property which may be taken it says in one place:

That the amount assessed under this section as benefits shall be not less than one-half of the balance remaining after subtracting from the total damages as determined under the provisions of the Code of Law for the District of Columbia, plus the cost of the condemnation proceedings, an amount equal to the value of all of the land acquired by the District of Columbia for subdivision into lots as hereinafter provided, the value of such land to be determined upon the basis of the amount awarded the owners thereof—

And so forth.

That is on page 3. I do not know what it means. I read it to myself a number of times and I could not tell what it meant. But I could see that it was intended to imply that there were damages to property and that it was intended to levy an assessment on property which was benefited.

Section 7 of the original bill provides:

That if the Commissioners of the District of Columbia agree with the owner of any building used as a dwelling at the time of the passage of this act and the use of which as a dwelling is forbidden by said commissioners pursuant to the provisions of said act, as to the fact that said building is substantially depreciated in value by reason of such prohibition and as to the extent of such depreciation—

And so forth. Here is a provision in the original bill prepared by the District Commissioners which plainly indicates that they knew that the prohibition of the use of dwellings would result in a marked depreciation of the value of the property. Who is to stand this under the substitute? Here is an admission in the original bill prepared by the District Commissioners that to forbid the use of a dwelling or the erection of a dwelling upon a court or alley is to depreciate the value of that property, or to forbid the use of a dwelling already erected is to depreciate the value of the property. Since when is Congress morally authorized to seize a man's property without any provision for the payment of the damages? The original bill, it is true, carries a method for ascertaining the damage and for paying the damage. It authorizes the owner or owners of any building, under any law in the District of Columbia, the use of which as a place of dwelling is prohibited under the provisions of this act, which said building was at the time of such prohibition used for dwelling purposes within six months of the date of the order of prohibition, if he was in the first instance served with notice of the issue of such order, and otherwise within one year after instituting the prohibition, to proceed in the Supreme Court in the District for the determination of the damages, and said building resulting from the prohibition of its further use as a dwelling and for the award of judgment against the District for the amount of damages.

It authorizes each of the owners separately to commence suit, or it authorizes the total number of owners in any one alley to join in a suit, and then authorizes the commissioners to make all the other owners of the property in the block codefendants. Then, when an answer is filed, it authorizes the appointment of a jury and the taking of testimony to determine the amount of the damages and to assess the benefits.

The whole theory of the original bill—and you will pardon me for reiterating it, but I wish to impress it upon you—the whole theory of the original bill is based on the idea that the prohibition in the use of these buildings and dwellings was a damage to the property and a loss to the owner, for which he

was entitled to be paid, and it provided a method of raising the money with which to pay it. That is the original bill.

The whole theory of the substitute is that by our fiat we say that a man hereafter can not use his property fronting upon an alley 30 feet wide for the construction of any building where a person can live, and that after four years from now no building now used as a dwelling upon any alley shall be used for that purpose. We make no provision for the payment to the owner of the damage caused to him by the depreciation of his property on account of our fiat. I do not believe in seizing private property without recompense for it. I do not believe in destroying the value of property without recompense for it. I do not believe in doing something which we know will bring before Congress claims for large sums of money, claims necessary to recompense the owners of property whose property has been depreciated by our fiat. I do not believe we ought to enter into it as a wholesale scheme. The original bill would have authorized the District Commissioners to take up one alley in one block where conditions were bad, stop the use there of dwellings as dwellings, and go block by block, as it chose. There you could determine before you went too far what the damage was and what the cost was.

The substitute bill covers all alleys, all courts, all passageways, all highways of any kind at one fell swoop which are less than 30 feet wide.

One gentleman, referring to the substitute bill, said that he did not take it too seriously, because he thought it had so many holes in it that the first property owner who brought a suit to enjoin would be successful, and the bill would be thrown out of court. I am not so sure of that, nor do I think it is desirable to enact legislation upon the theory that the first time you try to put it into effect somebody will have it declared unconstitutional.

But in order that the House may know what it is, let us see what the provisions of the substitute are. It provides that after the passage of the act it shall be unlawful in the District to construct—I do not read the language exactly as it occurs, but in substance—to construct any dwelling on any lot fronting on an alley where the alley is less than 30 feet wide through its entire length, where the alley does not run straight through from one street to another, and where the alley is not supplied with sewer, water main, and gas or electric light. And it provides that the term "alley" shall include any and all courts, passages, and thoroughfares, whether public or private, and any ground intended for or used as a highway other than the public streets or avenues. Of course, one of the first things that one will have to construe there is when a parcel of ground—and that is one of the terms used—fronts on an alley, because it will become patent that if a man has an automobile drive by the side of his house, going to a garage in the rear of his house—and that is covered by the terms of this bill in the definition of the term "alley"—it is not the purpose of the bill to prohibit him from erecting a house alongside of his private driveway; and yet the terms of the bill would do that. Of course it is to be presumed that a sensible judge, acting in a sensible court, would not construe the law in that way in such a case, but I doubt whether he would be able to draw the line between that case that I have mentioned and a case where property is actually desired for a dwelling upon a real alley.

Another provision of the bill allows rooms to be provided for grooms or stablemen—

*Provided*, That rooms for grooms or stablemen to be employed in the building to be erected, repaired, or reconstructed may be allowed over stables, when the means of exit and safeguards against fire are sufficient, in the opinion of the inspector of buildings, subject to the approval of the Commissioners of the District of Columbia.

One would suppose from that that it was the intention to permit a barn to be erected upon the alley provided with a room where a groom or stableman might live or at least stay at night. The intention undoubtedly is expressed to allow them to have the rooms there, but almost the next paragraph of the bill provides that the use or occupation of any building on or along any such alley as a dwelling or residence or place of abode by any person is declared to be injurious, and from and after the 1st day of July shall be unlawful. Having provided in the bill that a man in erecting a barn might provide rooms for his stableman or groom, the bill next provides that it shall be unlawful to occupy those rooms. There can be no escape from that proposition.

I do not know who drew this substitute. It provides that upon an alley more than 30 feet wide you may erect a dwelling, placing it so that it will be at least 20 feet from the center of the alley in order to provide a 5-foot sidewalk space; a very proper and suitable provision, though it is not required that that sidewalk space shall exist as to any building already upon the alley, and there will be therefore no uniformity. And then it provides that the occupation of a building on such an alley—that is, an alley that is 30 feet wide upon which a building may be erected as a dwelling—is declared to be injurious as to life, health, public morals, and everything else that you can think of. It has been so long since I practiced law that I have doubt as to my legal fame, but I would like to get some lawyer to construe this language. The language is:

The use or occupation of any building or other structure erected or placed on or along any such alley as a dwelling or residence or place of abode by any person or persons is hereby declared injurious to life, to public health, morals, safety, and welfare of said District; and such use or occupation of any such building or other structure on, from, and after the 1st day of July, 1918, shall be unlawful.

What does the expression "such alley" refer to? The last description of an alley in the bill is an alley 30 feet wide upon which dwellings may be erected, and having said that upon an alley 30 feet wide a dwelling may be erected, the bill then provides that the occupation of a dwelling upon such an alley is declared to be injurious to life and health.

Mr. REED. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. REED. Does that language appear in the amended bill or in the original bill?

Mr. MANN. This is in the substitute, which I am now discussing.

Mr. LOGUE. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. LOGUE. On page 23 it provides for a 20-foot distance from the center line. Would not that practically require a 40-foot street or alley there?

Mr. MANN. Yes; it would as to any new dwelling.

Mr. LOGUE. Because it requires a 5-foot way to be on both sides.

Mr. MANN. Yes.

Mr. LOGUE. And establishes a center line 20 feet from the house line.

Mr. MANN. Yes. I do not think that is objectionable.

Mr. LOGUE. No; but I just wanted enlightenment to see if we understood the matter the same.

Mr. MANN. That is, the alley that is 30 feet wide. When you build upon it you must leave 5 feet on each side, making it 40 feet. It authorizes a building upon such an alley, and in the next paragraph says that you can not occupy the building upon such an alley.

Mr. LOGUE. Then, commencing at the top of page 24, the restriction as to use clearly relates over to the last—that which the gentleman last described.

Mr. MANN. Well, it did in the days when I practiced law. It does yet, as far as my legislative experience goes. Where you use "such," without any further definition, you do not step over the last 40 pages and jump back to the first page. When you have a number of descriptions of the word "such," it relates to the last description. That is plainly what this does. Then it goes on—having authorized the erection of a dwelling on such an alley—it goes on and says that the use or occupation of any such building shall be unlawful. Now, of course, as I say, it may be one gets solace out of the idea that this bill is so unartificially drawn that it will not hold in court, but I do not think that is a safe proposition to go on. Here is a feature of the bill that is not at all serious—that it is indicating the frame of the mind of the gentleman who drew it. I would not make this remark if my friend from Kentucky [Mr. JOHNSON] drew it, but I know he did not. Section 2 says—

That any person or persons, whether as principal or agent or employee, violating any of the provisions of this act or any amendment thereof.

Here is an original act that has not yet been passed. It is perfectly proper to put in a provision making a penalty for a violation of the act, but here is the putting in of a penalty for some act which may not be passed for 50 years to come. Whoever drew it had a brilliant imagination. He not only made it a violation of existing law, but he made it a violation of the proposed law, and then he has made it a violation of some amendments to the proposed law. There is one thing quite definite: The gentleman who drew this and put in a provision to make it a violation for any amendment of this act had a very clear conception of one thing, and that was that it was so poorly drawn it would need amendment at an early day. I have no objection to the passage of a proper bill in reference to the alley matter, but I think if we provide that the property of the District of Columbia shall be so guarded that dwellings shall not be erected or used upon alleys, and existing property is damaged thereby, that the District of Columbia ought to pay the expenses of the benefit which accrues to the District of Columbia. If it is no benefit to the District of Columbia, if it is no advantage to the District of Columbia, the legislation ought not to be en-

acted; but if it is to benefit the property in the District of Columbia and wipe out the alley slums, charges should be made against the District of Columbia, and not leave it to claims hereafter to be brought against the Federal Treasury. It has not been difficult, and it never will be difficult, to influence the Claims Committee of this House by personal appeals—that is human nature; and I am not criticizing the Claims Committee—and there never has been a time when a whole lot of people, or one person, even where they follow around from one member of the Claims Committee to another—and it is not necessary to confine it entirely to the Claims Committee—but what you get the favorable action of the committee.

Mr. LOGUE. Will the gentleman yield?

Mr. MANN. I yield.

Mr. LOGUE. What is the gentleman's thought as regards the proposition of benefits to be assessed against the adjacent owners when we are dealing with a general public improvement which relates to general public morals and general public health? Should there be any attempt to assess benefits against adjacent property owners?

Mr. MANN. Oh, I can very readily see in a particular case in a block where there is an alley that runs through there may be some cheap property upon the alley sites which damages the entire block and that you might properly abolish the use of these buildings as dwellings, and because of the enhanced value which would come to the balance of the property you might assess the amount of damages against the other property as a benefit that would be in a particular block. Of course, where the benefits are general throughout the city, the law of special assessments does not permit the assessment to be levied against the particular piece of property because there is no special benefit.

Mr. BORLAND. Will the gentleman yield?

Mr. MANN. I will.

Mr. BORLAND. The gentleman has probably noticed in the original bill, known as the commissioners' bill, there is one provision for assessing against the adjoining property the actual benefits found by a jury.

Mr. MANN. I understand.

Mr. BORLAND. If any benefits actually accrue, the joint property owners could be assessed.

Mr. MANN. I understand. I thought I had stated that, but the gentleman has stated it more clearly than I did.

If we make no provision for the payment of the claim—you and I know perfectly well that if John Jones has a dwelling down here and we take it away from him, even though we take it away legally, he will come before Congress in the hands of a claim agent and ask us to pay the damage, and in order to make it sure he will probably make the damage two or three times what it really is. We have no method of ascertaining the facts, and he stays around the committee and sees the Members of Congress. While one person can not do all of this all of the time, when there are hundreds there is no difficulty in doing it, and in the end the claim is reported to the House. While there are times when claims have rocky roads to travel in the House, because of the ease with which they are reported out, we pay and will continue to pay large sums of money for claims, and in cases of this kind I think we ought to pay.

Even I would not be opposed, and I am not enthusiastic about claims against the Government, to the principle, at least, that if you destroy a man's property, of paying damage which accrues to him by reason of the legislation which we enact. I do not think the substitute bill ought to pass. There are provisions in the original bill which I do not like. I do not believe that the District of Columbia Commissioners should be given the power, as is given in the original bill, to buy property in order to resubdivide it and sell it. I should doubt whether they were qualified real-estate agents, to begin with, but up to the present time I do not think there is any need in this city, or probably in this country, for the Government to go into the business of subdividing lots for sale.

Mr. BORLAND. Does the gentleman wish to yield on that point?

Mr. MANN. Certainly. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has used 41 minutes.

Mr. MANN. All right; I will yield.

Mr. BORLAND. The gentleman is familiar with the geographical situation of some of these alleys, and knows that the interior of the block is divided into a number of small alleys, sometimes in an egg shape and sometimes in an "S" shape, and if the provisions of this bill were carried out and a 30-foot alley carried clear from street to street, it probably would have the effect in many cases of leaving small lots in the inside of those alleys, that we can not now use for any purpose unless the alleys are replatted and resubdivided, and there were lots of sufficient wideness on each side of the street.

Mr. MANN. I was about to say that I was not certain, but there might be cases where we might give power to the commissioners within proper limitations in order to eradicate small alleys in this city.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Kentucky. Mr. Chairman——

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] is recognized.

Mr. JOHNSON of Kentucky. Mr. Chairman, Washington is not only unusually laid out in streets, squares, and alleys, but the building up of the squares has been done in a very unusual way. Some years ago I heard the question of Willow Tree Alley brought up for discussion on this floor. At that time my attention had never been invited as to what an alley in the city of Washington was. I jumped at the conclusion that an alley in Washington was like an alley in any other of the cities of the country—that it was a little street, or alley, 10 feet wide, running through a square. But when the subject of Willow Tree Alley came up I learned that there are a number of squares in Washington—and that is one of them—where the entire outside of the square was built up, leaving a court on the inside of the square, and that, in local parlance, or in the description of an alley in the city of Washington, a court is an alley. On the inside of the square where that court existed—speaking now of Willow Tree Alley—there were a lot of miserable huts and shanties. It was a dirty, filthy place, breeding all sorts of crime and disease. Congress sought to wipe that out, and it was done, at a cost of something like several hundred thousand dollars, although I do not remember the exact figure. There are many more of just such places as that in Washington. They had better be described as courts than alleys, but they have come to be known in the city of Washington as alleys. There has been a desire, running way back, to do away with those inner courts or alleys, for the reason, as I said, that it is next to impossible to control them with the police. The worst characters who come to town congregate there; and, as I said a moment ago, it is but a breeding place for crime and all sorts of disease.

Back in 1892 Congress realized that some of these places, at least the worst of them, must be gotten rid of, and passed an act, which I shall read. It is short. It says:

*Be it enacted, etc.*, That from and after the passage of this act it shall be unlawful to erect or place a dwelling house on or along any alley in the District of Columbia where such alley is less than 30 feet wide and is not supplied with sewerage, water mains, and light: *Provided*, That no dwelling house hereafter erected or placed in any alley shall in any case be located less than 20 feet back clear of the center line of such alley, so as to give at least a 30-foot roadway and 5 feet on each side of such roadway clear for a walk or footway; and that it shall be unlawful to erect or place a dwelling house on or along any alley which does not run straight to and open at right angles upon one of the public streets bordering the square in which such alley is located, with at least one exit 15 feet in the clear.

That act was approved on July 22, 1892.

Mr. HARDY. At least one what of 15 feet?

Mr. JOHNSON of Kentucky. One exit. Congress passed another act relative to the same subject, which can be found in the Statutes at Large of the United States, volume 27, pages 254 and 255, and that act was made part of the building regulations of the District of Columbia. That act, in substance, provides that when a building in one of these alleys has deteriorated to the extent of 50 per cent it can not be repaired. In that way a great many of the alley houses have been dispensed with as residences, because they have deteriorated to a degree greater than 50 per cent of their value, and in that way were closed up.

The present bill was introduced by me upon the request of the Commissioners of the District of Columbia. I have no knowledge as to who drafted the bill. The District Committee, in coming to consider what is now known as the commissioners' bill, or what may be better termed the House bill, reported it out with a substitute, that substitute being in the exact language of the bill which the Senate has passed and which is now upon the Speaker's table. I wish to impress the committee with the fact that the substitute for this bill is exactly the bill which the Senate has passed. I ask to impress that because a number of gentlemen have asked me to-day what was the difference between the substitute for this bill and the Senate bill. If you will notice, if you will compare the Senate bill with what I have just read, being the act of July 22, 1892, you will see they are very similar, indeed. There is one great difference between them, however, in this: The original act of 1892 did not make any provision for doing away with these alley slums, except as they would deteriorate in value. The Senate

bill which is now the substitute for the House bill does away with all these alleys by the year 1918, or, in other words, it gives four years in which to prepare and meet the situation which will then exist if this bill passes.

This bill, which has passed the Senate and which we have made a substitute for the House bill, is based upon the police power. The bill is all based upon the police power, and therefore we have reached the conclusion, in reporting it out, that the bill is constitutionally good. If there were any question in the mind of anybody on this floor as to whether the bill is constitutionally good, I entertain not the slightest doubt that the constitutional question would be raised by the property holders who seek to continue their investment in this miserable class of property, which brings a rental higher in per cent than any other property in the District of Columbia. So the effect of the difference between the present law and that which is contemplated by the substitute for the House bill, which is the Senate bill, is to do away with these alley buildings for residential purposes at an earlier date than under the act of 1892, which I have just read.

There is no desire to destroy this property, and there is nothing in this bill which will warrant the belief that this property is to be affected in any way other than for residential purposes. There have been, and I guess there will continue to be, objections to the House bill upon the ground that it seeks to sell a nuisance to the United States Government. It is contended that elsewhere in the country these nuisances are condemned under the police power. That leaves the property to its owners, to be used in any lawful way they choose to use it except as a residence, it being contended and maintained that a residence in these places can not be lawfully used; that nobody except unlawful characters will go into these places; that unlawful characters seek these places because they are free from police regulation.

I reserve the remainder of my time.

Mr. BORLAND. Mr. Chairman——

Mr. MANN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Mr. BORLAND. I will yield the floor if the gentleman from Kentucky [Mr. JOHNSON] desires to move that the committee rise.

Mr. JOHNSON of Kentucky. Pending that, I ask unanimous consent that the gentleman from Kansas [Mr. TAGGART] be permitted to speak for 10 minutes on a subject foreign to this bill.

Mr. MANN. I withdraw the point of no quorum present.

Mr. BORLAND. I yield 10 minutes of my time to the gentleman from Kansas [Mr. TAGGART].

The CHAIRMAN. The gentleman from Illinois withdraws the point of no quorum, and the gentleman from Missouri yields 10 minutes to the gentleman from Kansas [Mr. TAGGART].

Mr. TAGGART. Mr. Chairman, on August 24, 1814, 100 years ago to-day, the city of Washington was occupied by a British army under the command of Maj. Gen. Robert Ross, and some men of the British Navy under the direction of a British admiral. They set fire to and burned the public buildings of the Capital. According to British historians, this was done in retaliation for the destruction of a public building at York, in Canada, by the Americans a year before. Gen. Ross found raiding to be a dangerous business, for he lost his life in the attack on Baltimore a few days after the capture of Washington.

In accordance with the practice of monarchical governments the family of Gen. Ross were signally honored for this exploit. The Prince Regent of England conferred upon his descendants the honor and distinction of adding the words "of Bladensburg" to the family name, and augmenting the coat of arms of the family to perpetuate the memory of the Battle of Bladensburg. The augmentation consisted of putting upon the coat of arms "a wreath of laurel, the hand grasping a flagstaff broken in bend sinister, therefrom flowing the colors of the United States of America."

The village of Bladensburg, 8 miles from Washington, never was a fortress. It is probably no larger now than it was a hundred years ago. A great share of the population seems to be negroes living in dilapitated shanties built before the American Revolution. When the British forces appeared some drafted militia, consisting largely of Government clerks, and accompanied by a few marines, undertook to defend Washington, which was then a town of but 9,000 inhabitants, surrounded by a wilderness. The militia fled before the approach of the regular forces; the marines stood their ground until outflanked, and then retreated. In this encounter the Americans lost just 26 killed and 52 wounded. And this was all that happened at Bladensburg 100 years ago to-day.

The grandson of Maj. Gen. Ross still occupies the ancestral home at Rostrevor, a few miles from Belfast, in Ireland, and still triumphantly displays the American flag on his coat-of-arms. He styles himself, according to his inherited right, Sir John Ross-of-Bladensburg, not omitting the two hyphens. He holds a position connected with the police force of Dublin.

Placing the flag of the United States and the word "Bladensburg" on the coat of arms of this distinguished family could not have been done in token of a great victory; the evident purpose was to humiliate the American people. The theory was that the escutcheon of the house of Ross would boast while we mourned—that the descendants of the general should fall heir to glory while we should inherit chagrin.

How strange all of this seems to the common sense of the American citizen! We have no coats of arms labeled "Saratoga," "Yorktown," "Lake Champlain," or "New Orleans." If we had, how could we look at each other without smiling? How fortunate it is that we have not sought to keep alive the spirit of war and aggression. We are not burning with revenge for lost battles nor lost Provinces. The descendants of our heroes can make no claim on the public esteem on account of anything done by their ancestors. If this Congress were controlled by men who might style themselves the "Duke of Bunker Hill," the "Earl of Stony Point," the "Lord of Lake Erie," or the "Prince of Louisiana," the chances are that they would owe it to their native pride to revenge every humiliation upon the children of the enemies of their ancestors.

The past has little meaning where men are free. If the ordinary American citizen were asked who won any of the battles of the War of 1812, he would probably refer the matter to some teacher of history, especially if he were a busy and useful citizen. He would probably fail to recollect, if he ever knew, that Tecumseh, chief of the Shawnees, was a brigadier general in the British Army. Yet this was exactly the title and commission of Tecumseh. Tecumseh is entitled to a page in history. He fell gallantly in battle in defense of his native forest and for what he believed to be the rights of his people. Descendants of Col. Johnson, who slew Tecumseh at the Battle of the Thames, are around us, innocent of "the boast of heraldry or the pomp of power."

It is possible that Americans have overdone the matter of talking over the progress of the past century. We had fondly hoped that war would become a thing of the past among civilized nations, but we hoped in vain. The progress that we have observed, that strikes us most forcibly on this centennial day, is that that former ally of Tecumseh has become the partner of the Czar of Russia and the Mikado of Japan in the enterprise of crushing a nation in which half of the scientific work of the world is done. How fortunate that we do not nurse ancient wrongs nor inherit the passions of our ancestors! If we did, Washington would be a more interesting spot to-day than it was a hundred years ago.

Far from discussing war or rumors of war, the House of Representatives of the United States is wrestling with the problem of irrigating the public lands in the semiarid regions of the West. The gentleman from New York [Mr. FITZGERALD], always for economy and jealously guarding the Public Treasury, argues that money derived from public lands should go into the Treasury for general purposes and the gentleman from Oklahoma [Mr. FERRIS], with the pioneer spirit, is contending that the money should be placed in the reclamation fund and that a part of it should be used for the maintenance of schools in the Western States. The House is planning to make homes for the people in the west half of the United States, where every square mile is a health resort and where a half million square miles of the most fertile land in the world still remain untouched. We are attempting the conquest of nature, and we have no thought of the conquest of men. The American people stand aghast at the butchery now in progress in the harvest fields of northern Europe—a harvest, but not of sheaves. So far from arousing the slumbering war spirit it has, on the contrary, given to the name of peace a more significant and holy meaning than it ever had before. We shall go on and plan for homes for the people. Let us provide a chance for men to live instead of a chance to die. [Applause.] We can not stop the European struggle. In the words of the distinguished countryman of Gen. Ross, we stand aloof and silent "with the undissembled homage of deferential horror." [Applause.]

I yield back the remainder of my time.

Mr. BORLAND. I yield to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, I had hoped to make a few observations upon the political and business conditions of the country under a Democratic administration; but time forbids, and therefore I wish to ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Reserving the right to object, I shall not object to this request, but unless the majority side of the House soon gives some opportunity for Members of the minority and the majority to discuss political questions in Committee of the Whole, I shall object to all such requests.

Mr. GOULDEN. Mr. Chairman, I think my distinguished friend from Illinois will agree with me that I do not take much time in talking, nor do I object to that side of the House having their innings.

Mr. MANN. No; but we have a rule operating under which it is said that no man can speak on political questions, and we did not vote for the rule. Now, if you people on the other side insist upon passing such rules, and then will not give us a chance to speak in debate on political questions, I am not going to let you print.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. GOULDEN]?

There was no objection.

Mr. GOULDEN. Mr. Chairman, I wish to make a few observations on the political and business conditions of the country under a Democratic administration, showing actual results.

Two years have elapsed since the national convention of the Democratic Party met in Baltimore, nominated candidates for President and Vice President, and adopted a platform. It is time to look over the situation and see if the promises then made have been kept. A party, like an individual, must be judged by deeds, not words. Applying this inexorable test to the Democrats, let us see what has been the result.

The platform in its first plank on tariff reform declared as follows:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government, under the Constitution, has no right or power to impose or collect tariff duties except for the purpose of revenue, and we demand that the collection of such taxes shall be limited to the necessities of government honestly and economically administered.

The high Republican tariff is the principal cause of the unequal distribution of wealth. It is a system of taxation which makes the rich richer and the poor poorer. Under its operations the American farmer and laboring man are the chief sufferers. It raises the cost of the necessaries of life to them, but does not protect their product or wages. The farmer sells largely in free markets and buys almost entirely in the protected markets. In the most highly protected industries, such as cotton and wool, steel and iron, the wages of the laborers are the lowest paid in any of our industries. We denounce the Republican pretense on that subject and assert that American wages are established by competitive conditions and not by the tariff.

We favor the immediate downward revision of the existing high and in many cases prohibitive tariff duties, insisting that material reductions be speedily made upon the necessaries of life. Articles entering into competition with trust-controlled products and articles of American manufacture which are sold abroad more cheaply than at home should be put upon the free list.

In fulfillment of this pledge Congress during 1913 passed a just and equitable tariff law that is working out splendidly to the benefit of the consumer. It is in the interest of the masses, and has reduced the cost of building material, clothing, and many of the necessaries of life.

Congress has also passed a wise currency law to take the place of the old worn-out system that encouraged and brought about financial depressions and panics. The new act will prevent these disasters and enable the business of the country to be properly and successfully handled. Under its wise and elastic provisions there can be no cornering of money or credit, nor of the products of the farm, the forest, the mills, or the other activities of the people.

The third important plank in the platform read as follows:

ANTITRUST LAW.

A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal as well as the civil law against trusts and trust officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States.

We favor the declaration by law of the conditions upon which corporations shall be permitted to engage in interstate trade, including, among others, the prevention of holding companies, of interlocking directors, of stock watering, of discrimination in price, and the control by any one corporation of so large a proportion of any industry as to make it a menace to competitive conditions.

The three bills on this subject recently passed completely cover these vexed questions and will work out for the good of the people, proving of incalculable benefit to the country. The interests and combinations will no longer control business to the injury of the people.

In the adoption of an income tax, a wise and just system of taxation, not only has another platform pledge been fulfilled, but the Congress performed a great service to the people. By this law the support of the Government is equitably distributed, and those with large incomes are for the first time in its history called on to contribute their fair share and properly aid in bearing the burdens. Upward of one hundred millions has been paid into the United States Treasury in 1914 from this source, that hitherto escaped taxation. As the years go on this sum will materially increase, thus reducing the burdens in other directions.

In the plank affecting railroads, express companies, telegraph and telephone lines the Congress, largely Democratic, has faithfully lived up to the following, which appeared in the party's platform:

We favor the efficient supervision and rate regulation of railroads, express companies, telegraph and telephone lines engaged in interstate commerce. To this end we recommend the valuation of railroads, express companies, telegraph and telephone lines by the Interstate Commerce Commission, such valuation to take into consideration the physical value of the property, the original cost, the cost of reproduction, and any element of value that will render the valuation fair and just.

We favor such legislation as will effectually prohibit the railroads, express, telegraph, and telephone companies from engaging in business which brings them into competition with their shippers or patrons, also legislation preventing the overissue of stocks and bonds by interstate railroads, express companies, telegraph and telephone lines, and legislation which will assure such reductions in transportation rates as conditions will permit, care being taken to avoid reduction that would compel a reduction of wages, prevent adequate service, or do injustice to legitimate investments.

In the several other planks, notably those dealing with the rights of labor, pure food and public health, civil service, pensions, and so forth, the Democratic Party, through the President and its Representatives in Congress, has lived up to its promises and kept faith with the people.

To the wise and patriotic policy of President Wilson war with Mexico was averted. For this humane and statesmanlike result his administration is entitled to the commendation of every American, aye, of the people of all nations. With this record and its splendid history of more than a century the Democratic Party appeals to the suffrages of the whole people, regardless of political affiliations. President Wilson's administration has merited a vote of confidence and, unless all signs fail, will be supported by the return of a Democratic Congress in November. His entire administration, covering a period of less than 18 months, has been a safe, sane one, characterized by honesty of purpose and a high order of patriotism. I am gratified that I have had some part in these achievements. My best efforts have been put forth to further the platform of the Democratic Party, its traditions, and to uphold the hands of President Wilson and his splendid Cabinet, of which the whole country may feel proud.

The Congress which will end March 4, 1915, and be succeeded by the Sixty-fourth, has under the leadership of Speaker CLARK and Leader UNDERWOOD done splendid service to the country. It has been one of economy and efficiency, working in season and out without intermission since it was organized, April 7, 1913. Its record will go down in history as one of the best since the foundation of the Government. In conclusion I desire to quote a few paragraphs from the President's patriotic and timely address to the American people on the European war crisis recently issued and to commend the same to my countrymen:

I venture, therefore, my fellow countrymen, to speak a solemn word of warning to you against that deepest, most subtle, most essential breach of neutrality which may spring out of partisanship, out of passionately taking sides. The United States must be neutral in fact as well as in name during these days that are to try men's souls. We must be impartial in thought as well as in action, must put a curb upon our sentiments as well as upon every transaction that might be construed as a preference of one party to the struggle before another.

My thought is of America. I am speaking, I feel sure, the earnest wish and purpose of every thoughtful American that this great country of ours, which is, of course, the first in our thoughts and in our hearts, should show herself in this time of peculiar trial a nation fit beyond others to exhibit the fine poise of undisturbed judgment, the dignity of self-control, the efficiency of dispassionate action; a nation that neither sits in judgment upon others nor is disturbed in her own counsels and which keeps herself fit and free to do what is honest and disinterested and truly serviceable for the peace of the world.

Shall we not resolve to put upon ourselves the restraints which will bring to our people the happiness and the great and lasting influence for peace we covet for them?

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WINGO, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13219) to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of

buildings situated in the alleys in the District of Columbia, and had come to no resolution thereon.

LEAVE TO PRINT.

Mr. DEITRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I should like to ask the gentleman what it is he wants to put in the RECORD?

Mr. DEITRICK. This is an article written by Charles W. Eliot, president emeritus of Harvard University, and in the article are discussed Congress, President Taft, and President Wilson.

Mr. BORLAND. Mr. Speaker, in fairness to both sides of the House, I do not think we ought to allow these articles to be inserted.

Mr. DEITRICK. This is my first offense.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] objects.

BUREAU OF WAR RISK INSURANCE.

Mr. ADAMSON. Mr. Speaker, unless some other gentleman has already attended to it, I will ask unanimous consent for a print of the Senate war insurance risk bill (S. 6357). It has not been printed since it was amended and passed by the Senate.

The SPEAKER. The gentleman from Georgia asks unanimous consent that there be a print of the war insurance bill—S. 6357.

Mr. ADAMSON. As it passed the Senate.

Mr. MANN. Why has it not been printed?

Mr. ADAMSON. It came over to the House and was left on the Speaker's table.

Mr. MANN. Why was it left on the Speaker's table?

Mr. ADAMSON. Because I hoped that the gentleman from Illinois and other gentlemen would consent to taking up the bill and considering it.

Mr. MANN. If the bill is referred it can be printed.

Mr. ADAMSON. I do not ask for its reference.

Mr. MANN. I do; I ask that it be referred.

The SPEAKER. It will be referred to the Committee on Interstate and Foreign Commerce.

ABSENT MEMBERS.

Mr. UNDERWOOD. Mr. Speaker, a few Members of the House have been here continuously all summer. A number of others have been here a greater portion of the time. There are a large number of Members of the House who have been almost continuously absent. I sympathize with Members who have work at home, the exigencies of whose campaign will cause them sometimes to stay there, but I think it goes without saying that undoubtedly some Members of this House have been neglecting their duty and putting undue burdens on those who remain here.

I desire to make a motion to-night, if there is no objection to its being made at this time; if there is objection, I will let it go over until to-morrow.

Mr. MANN. Before the gentleman from Alabama makes his motion I want to say that I shall object to any further business to-night. Those of us who stay here all summer I think have a right to quit the session of the House at 5 o'clock, and it is now half past 5. I will ask the gentleman to let the matter go over until to-morrow. There is no quorum here.

Mr. UNDERWOOD. I recognize that there is not a quorum present. But I desire to move that the Sergeant at Arms be instructed to notify the absentees of the House to return to Washington, and of course that is a motion that can not be put through without a quorum. If there is objection at this time, I will let it go over until to-morrow morning.

PROCEEDINGS OF THE HAGUE CONVENTIONS (H. DOC. NO. 1151).

Mr. BARNHART. Mr. Speaker, I offer the following privileged resolution, and ask for its present consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 593 (H. Rept. 1109).

*Resolved*, That there be printed as a House document 5,000 copies of The Hague conventions of 1889 and 1907, as printed in Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States and Other Powers, 1776 to 1909, Malloy, volume 2, pages 2016 to 2057 and 2220 to 2389, published in the year 1910 by the Government Printing Office, the same to be distributed through the House folding room.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. STAFFORD. I want to ask the gentleman whether the committee considered at the same time the printing of the naval conference of 1909, in which the great powers were parties, and which passed upon more questions of importance than were debated at The Hague conference of 1907?

Mr. BARNHART. No; because that was not contained in the bill. The committee only considered the bill before it.

Mr. STAFFORD. The matter I refer to is of much more importance than the proceedings at The Hague convention.

Mr. BARNHART. If the gentleman from Wisconsin will introduce a bill asking to have that printed, the committee will consider it.

Mr. MANN. Mr. Speaker, in view of what is now taking place in the world, I take it that the proposition to print the proceedings of The Hague conference is intended as a sort of legislative sarcasm.

Mr. BARNHART. I would hardly think that. I think even at this time, Mr. Speaker, the more sentiment for peace this country can promulgate and disseminate the better it will be for us.

Mr. MANN. If there is at present any useless bit of theory, it is the proceedings of The Hague conference.

Mr. BARNHART. And yet, Mr. Speaker, there may come out of it much good for posterity.

Mr. MANN. I hope so; but I am afraid it will be for posterity.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

CRIMINAL PROCEDURE IN ENGLAND.

Mr. BARNHART. Mr. Speaker, I present the following privileged resolution, and ask for its immediate consideration.

The Clerk read as follows:

House resolution 546 (H. Rept. 1110).

*Resolved*, That there be printed 40,000 copies, to be placed in the House document room for the use of the House of Representatives, of the report of the Committee on Reform in Legal Procedure of the American Institute of Criminal Law and Criminology, appointed to investigate and make a study of criminal procedure in England, known as Senate Document No. 495, Sixty-third Congress, second session.

Mr. MANN. Who introduced this resolution?

Mr. BARNHART. The gentleman from Mississippi [Mr. HARRISON].

Mr. MANN. What is the idea of placing 40,000 copies in the document room?

Mr. BARNHART. For the reason that it is believed that the lawyers in the Congress and others who are interested will go there and get these documents and send them out. If they are sent to the folding room, it was the opinion of the committee that the probability is they would lie there like many other documents do. But Mr. HARRISON assured the committee——

Mr. MANN. Oh, HARRISON is a good fellow, and I am willing that he should have 40,000 copies.

Mr. BARNHART. He assured the committee that he would notify each Member of the House that the documents are there.

Mr. STAFFORD. We had recently a reprint of the judicial code placed at our disposition. All of us, I presume, sent them to the lawyers in our respective districts. The gentleman knows that we are not going to get hold of this report; that they will be gobbled up before we can get them.

Mr. BARNHART. The gentleman will get a letter, upon the honor of the gentleman from Mississippi [Mr. HARRISON] that he will notify him and every other Member when the document is ready, and they will not be gobbled up.

Mr. STAFFORD. But the gentleman knows the rapacity of some Members.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

GRAND ARMY OF THE REPUBLIC.

Mr. BARNHART. Mr. Speaker, I offer the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House concurrent resolution 42 (H. Rept. 1111).

*Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed as a House document 1,100 copies of the journal of the Forty-eighth National Encampment of the Grand Army of the Republic, for the year 1914, not to exceed $1,600 in cost; 100 to be bound in cloth, balance in paper covers.

Mr. BARNHART. Mr. Speaker, I offer the following amendment to the resolution.

The Clerk read as follows:

Amend, in line 6, after the word "cost," by inserting a period and striking out the remainder of line 6 and all of line 7.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. BARNHART, a motion to reconsider the votes by which the several resolutions were passed was laid on the table.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Tuesday, August 25, 1914, at 12 o'clock noon.

## EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, submitting an item of legislation for incorporation in an appropriation bill, as follows: "*Provided*, That the payment for rent of offices heretofore used in the District of Columbia for the Board of Ordnance and Fortifications and the payments heretofore made for rent of such offices are hereby authorized" (H. Doc. No. 1150), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ALLEN, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 8013) for the relief of the estate of Thomas Rogers, deceased, reported the same without amendment, accompanied by a report (No. 1105), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (S. 1880) for the relief of Chester D. Swift, reported the same without amendment, accompanied by a report (No. 1106), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2304) for the relief of Chris Kuppler, reported the same without amendment, accompanied by a report (No. 1107), which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Minnesota (by request): A bill (H. R. 18499) granting an honorably discharged veteran of the Civil War who held a place in the public service under the civil-service laws a monthly allowance equal to one-half his monthly pay, provided he has been removed from the service; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 18500) to transfer the Bureau of Mines to the Department of Labor; to the Committee on Mines and Mining.

By Mr. TOWNER: A bill (H. R. 18501) authorizing the Secretary of War to donate to the city of Seymour, Iowa, one condemned cannon or fieldpiece for the use of the Grand Army of the Republic Post No. 186; to the Committee on Military Affairs.

By Mr. SPARKMAN. A bill (H. R. 18502) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. MOSS of Indiana: A bill (H. R. 18503) to authorize the Secretary of Agriculture to license grain warehouses, and for other purposes; to the Committee on Agriculture.

By Mr. REILLY of Connecticut: A bill (H. R. 18504) directing the Bureau of Corporations of the Department of Commerce to ascertain the value of contracts entered into by citizens of the United States for supplying foodstuffs, etc., and empowering the President to prohibit the exportation of certain supplies; to the Committee on Interstate and Foreign Commerce.

By Mr. REED: A bill (H. R. 18505) to acquire by purchase, condemnation, or otherwise additional land for the Federal building at Manchester, N. H., and to construct an addition thereon; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: A bill (H. R. 18506) to amend section 3339, Revised Statutes of the United States, as amended by the act of April 12, 1902, effective July 1, 1902; to the Committee on Ways and Means.

By Mr. ALEXANDER: A bill (H. R. 18518) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, equip, maintain, and operate vessels in the foreign trade of the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ADAMSON: A resolution (H. Res. 599) to provide for the consideration of S. 6357; to the Committee on Rules.

Also, a resolution (H. Res. 600) to provide for the consideration of S. 2337; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 18507) granting an increase of pension to James L. Herod; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 18508) granting an increase of pension to Jasper M. Stebbins; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 18509) for the relief of Sam N. Thompson; to the Committee on Claims.

Also, a bill (H. R. 18510) granting a pension to Henry Witt; to the Committee on Pensions.

Also, a bill (H. R. 18511) granting a pension to Thomas J. Hunt; to the Committee on Pensions.

By Mr. PROUTY: A bill (H. R. 18512) granting an increase of pension to Martin S. McDivitt; to the Committee on Invalid Pensions.

By Mr. RUPLEY: A bill (H. R. 18513) granting an increase of pension to Joseph J. Kerr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18514) granting an increase of pension to Margaret Wolf; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 18515) granting a pension to Arthur S. Hurlburt; to the Committee on Pensions.

By Mr. TAVENNER: A bill (H. R. 18516) granting a pension to Charles Diesron; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 18517) granting an increase of pension to Thomas R. Stevenson; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petitions of 23 citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petition of J. Arnold Norcross, of New Haven, Conn., favoring passage of House bill 7267; to the Committee on Claims.

By Mr. GARNER: Petition of the board of managers of the National Currency Association of Dallas, Tex., favoring modification of the emergency currency law known as the Aldrich-Vreeland bill; to the Committee on Banking and Currency.

By Mr. MERRITT: Petition of Thomas De Gruchy, Charles Blood, Joseph A. Wood, G. Y. Fish, Mrs. D. B. Cook, Mrs. Elizabeth Ritchie, Mary L. Halcomb, Sylvester R. Wood, Robert Stott, Malcolm A Grimes, A. G. Brockney, R. J. Bryan, J. Mantzer, John A. Briggs, Lawrence Ross, Forest B. Wood, Addie McCoughin, Frank Hawthorne, Patrick Flandry, John Mott, and James T. Havens, all of Ticonderoga, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of George W. Ritchie, F. B. Wilkes, Mrs. Sweat, Mrs. E. H. Benechet, Mrs. O. Rowell, Mrs. H. L. Simpkins, F. P. Ashworth, Mrs. T. L. Washburn, Mabel M. Riley, Mrs. E. F. Chapman, Mrs. Frances Meehan, A. A. E. Cummings, Mrs. Lillie Renois, Mrs. Anna V. Wood, Henry A. Wood, and J. N. Ross, all of Ticonderoga, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. O'HAIR: Petitions of sundry citizens of Kankakee, Ill., favoring House joint resolution 282, to determine the discoverer of the North Pole; to the Committee on Naval Affairs.

By Mr. O'SHAUNESSY: Petition of the Easton Grain Co., of San Angelo, Tex., favoring the passage of the Pomerene bill of lading bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Jane A. Gilmore, of Pawtucket, R. I., favoring passage of Senate bill to place replicas of the historic

Houdon statue of Washington in the United States Military Academy at West Point and United States Naval Academy at Annapolis; to the Committee on the Library.

By Mr. RAKER: Petition of the Tobacco Association of Southern California, protesting against increased taxes on cigars; to the Committee on Ways and Means.

By Mr. REILLY of Connecticut: Petitions of the Italian societies of New Haven, Conn., urging passage of bill prohibiting the export of foodstuffs during the European war; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Nevada: A resolution adopted at the Forty-seventh Annual Encampment of the Department of California and Nevada, Grand Army of the Republic, held at San Diego, Cal., May 5 to 8, 1914, protesting against a change in the American flag; to the Committee on the Judiciary.

By Mr. TAVENNER: Petitions relating to Senate joint resolution 144 and House joint resolution 282, signed by 301 citizens of the United States, principally of Monmouth, Ill.; to the Committee on Naval Affairs.

## SENATE.

### TUESDAY, *August 25, 1914.*

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., of the city of Washington, offered the following prayer:

Almighty God, our heavenly Father, amid the cares and responsibilities of to-day we need "that wisdom which is from above, that is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and of good fruits, without partiality, and without hypocrisy." In the consideration of all our plans may we be strengthened and directed by Thy divine influences. May these men of the Senate be inspired by those lofty ideals which make for righteousness and that emanate from Thy throne. We ask it in Christ's name. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Saturday, August 22, 1914, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### GENERAL EDUCATION BOARD AND CARNEGIE FOUNDATION.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Navy, stating, in response to a resolution of the 5th instant, that the organizations known as the General Education Board of the Rockefeller Foundation and the Carnegie Foundation have no relation to the work of the Navy Department; there are no employees of the department whose salaries are paid in whole or in part with funds contributed by the Rockefeller Foundation or the Carnegie Foundation, and there are no administrative officers of the department connected in any way with the work of the General Education Board of the Rockefeller Foundation or the Carnegie Foundation. The communication will lie on the table and be printed in the RECORD.

The communication is as follows:

NAVY DEPARTMENT,
*Washington, August 24, 1914.*

Mr. JAMES M. BAKER,
*Secretary United States Senate.*

SIR: Replying to resolution of the Senate dated August 5, 1914, requesting and directing that the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney General, the Postmaster General, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Labor furnish to the Senate certain information in regard to relation, if any, of the organizations known as the General Education Board of the Rockefeller Foundation and the Carnegie Foundation to the work of their respective departments, etc., I have to inform you that it is found, after investigation, that the organizations known as the General Education Board of the Rockefeller Foundation and the Carnegie Foundation have no relation to the work of the Navy Department; there are no employees of the department whose salaries are paid in whole or in part with funds contributed by the Rockefeller Foundation or the Carnegie Foundation, and there are no administrative officers of the department connected in any way with the work of the General Education Board of the Rockefeller Foundation or the Carnegie Foundation.

Sincerely, yours,

JOSEPHUS DANIELS,
*Secretary of the Navy.*

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution authorizing the printing of 1,100 copies of the Journal of the Forty-eighth National Encampment of the Grand Army of the Republic for the year 1914, in which it requested the concurrence of the Senate.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Labor Council of Greater New York, which will be printed in the RECORD and referred to the Committee on Commerce.

The communication was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

ANTIWAR PROCLAMATION.

The Labor Council of Greater New York, representing organized labor, calls upon the Government of this country to act most vigorously against a continuation of the mad carnage which now soaks Europe with blood and increases the sufferings of the people all over the world.

To an already existing industrial depression further depression has been added. Curtailment of industries goes on more than before. Wages go down. Prices of life's necessities soar skyward. For vast numbers of working people life is becoming literally impossible. The so-called "life" of the workers is degenerating into a mean scramble for a miserable existence.

We refuse to tolerate these chaotic conditions any longer. We demand that the Government of this country, for the protection of its people and for the sake of humanity, reason, and civilization, employ all means at its disposal to end the ignominious tragedy which by a small group of irresponsible tyrants is being perpetrated on humanity.

We demand particularly that the Government rigidly enforce neutrality of the United States of America, and that the Government at once proceed to check the eagerness and effrontery with which our industrial and commercial masters watch for an opportunity to ship provisions and possibly other contraband of war to the warring nations, thus in their lust for profits, in their insatiable and criminal greed, preparing themselves to violate international law. We warn the Government of this country that we shall have no patience with these vultures, which belong to the same brand of fiends as those who instigated the European war. We demand that no commodity whatever shall directly nor indirectly be exported from this country to the warring nations until they cease hostilities and submit to arbitration. And we consider such a policy, when applied in conjunction with other measures, to be a formidable means at the disposal of the Government of this country to bring about peace.

THE LABOR COUNCIL OF GREATER NEW YORK,
MATTHEW FUERRTY, *President.*
FRED FISENER, *Financial Secretary.*
ANTON NEBEL, *Treasurer.*

In session August 14, 1914.

Mr. THORNTON presented a petition of sundry citizens of Elton, Jennings, and Cloverdale, in the State of Louisiana, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. JONES. I have here two telegrams, and I desire to read one of them. It is as follows:

SEATTLE, WASH., *August 21, 1914.*

Hon. WESLEY L. JONES,
*United States Senate, Washington, D. C.:*

In the name of the business organizations and commercial interests of Seattle we urge you to earnestly and determinedly oppose the Clayton bill in its present form. Its definitions are not helpful, but hurtful; their ambiguity and uncertainty make it more difficult to determine rightful business conduct. The provisions making it lawful for labor organizations to do that which is wrong and criminal when done by any other citizen alone or in combination is unjust and denial of equal protection of the law and subversive of social order. The provision for trial by jury in contempt cases reduces our Federal courts to mere boards of arbitration and will bring chaos into a vast field of business litigation. Moreover, irrespective of its merit, our business facing a most critical situation in finance and industry produced by foreign war ought not now to be asked to further adjust itself to experimental and revolutionary regulation, nor do we believe that our legislators or the country are in a frame of mind to give this important subject the careful and exhaustive consideration which it deserves. From careful observation, we believe this to express the business opinion of our section without respect to party.

SEATTLE CHAMBER OF COMMERCE,
J. E. CHILBERG, *President.*
THOMAS BURKE,
*Chairman National Affairs Committee.*

I have also another telegram, from Hon. J. M. Frink, president of the Washington Iron Works, of substantially the same character, but closing as follows:

Do something to encourage the small manufacturer. We are not all trusts. Do not legislate us to death.

Mr. BURTON. I have a telegram from the board of directors of the Builders' Exchange of Cleveland, Ohio, which I send to the desk and ask to have read.

The Secretary read as follows:

CLEVELAND, OHIO, *August 20, 1914.*

Senator T. E. BURTON,
*Washington, D. C.:*

At a meeting of the board of directors of the Builders' Exchange, representing 400 firms and individuals in the building industry in Cleveland, the secretary was instructed to express to you the earnest protest of the board against the adoption of the Clayton bill and the hope that you will use your best efforts to have action deferred, particularly under present disturbed business conditions of the country.

EDWARD A. ROBERTS, *Secretary.*